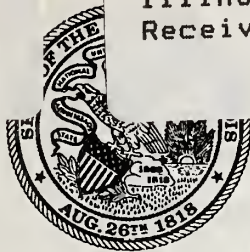


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Secretary of State

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Secretary of State  
Administrative Code Div.  
201 West Monroe  
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(217) 782-9786

# ILLINOIS REGISTER

## Rules of Governmental Agencies

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## INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

## REGISTER PUBLICATION SCHEDULE 1990

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 19, 1989	Dec. 26, 1989	1	Jan. 5, 1990	June 26, 1990	July 3, 1990	28	July 13, 1990
Dec. 26, 1990	Jan. 2, 1990	2	Jan. 12, 1990	July 3, 1990	July 10, 1990	29	July 20, 1990
Jan. 2, 1990	Jan. 9, 1990	3	Jan. 19, 1990	July 10, 1990	July 17, 1990	30	July 27, 1990
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Feb. 13, 1990	Feb. 20, 1990	9	Mar. 2, 1990	Aug. 21, 1990	Aug. 28, 1990	36	Sept. 7, 1990
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Feb. 27, 1990	Mar. 6, 1990	11	Mar. 16, 1990	Sept. 4, 1990	Sept. 11, 1990	38	Sept. 21, 1990
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Mar. 13, 1990	Mar. 20, 1990	13	Mar. 30, 1990	Sept. 18, 1990	Sept. 25, 1990	40	Oct. 5, 1990
Mar. 20, 1990	Mar. 27, 1990	14	Apr. 6, 1990	Sept. 25, 1990	Oct. 2, 1990	41	Oct. 12, 1990
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Apr. 24, 1990	May 1, 1990	19	May 11, 1990	Oct. 30, 1990	Nov. 5, 1990	46	Nov. 16, 1990
May 1, 1990	May 8, 1990	20	May 18, 1990	Nov. 5, 1990	Nov. 13, 1990	47	Nov. 26, 1990 (Mon.)
May 8, 1990	May 15, 1990	21	May 25, 1990	Nov. 13, 1990	Nov. 20, 1990	48	Nov. 30, 1990
May 15, 1990	May 22, 1990	22	June 1, 1990	Nov. 20, 1990	Nov. 27, 1990	49	Dec. 7, 1990
May 22, 1990	May 29, 1990	23	June 8, 1990	Nov. 27, 1990	Dec. 4, 1990	50	Dec. 14, 1990
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June 12, 1990	June 19, 1990	26	June 29, 1990	Dec. 18, 1990	Dec. 24, 1990	1	Jan. 4, 1991
June 19, 1990	June 26, 1990	27	July 6, 1990	Dec. 24, 1990	Dec. 31, 1990	2	Jan. 11, 1991

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF PROPOSED AMENDMENT

- 1) The Heading of the Part: Reimbursement to Banks for Financial Records
- 2) Code Citation: 38 Ill. Adm. Code 356
- 3) Section Numbers: Proposed Action:  
     356.10 Amendment  
     356.20 Amendment  
     356.30 Amendment  
     356.40 Amendment
- 4) Statutory Authority: Implementing Section 48.1(f) and authorized by Section 48(6) of the Illinois Banking Act (Ill. Rev. Stat. 1987, ch. 17, pars. 360(f), and 359(6) and implementing Section 5-11 and authorized by Section 5-1 of the Corporate Fiduciary Act (Ill. Rev. Stat. 1987, ch. 17, pars. 1555-11 and 1555-1).
- 5) A Complete Description of the Subjects and Issues Involved: This amendment was proposed to establish that corporate fiduciaries may be reimbursed for costs which are reasonably necessary and directly incurred in a search for financial records pursuant to a lawful subpoena, summons, warrant or court order in the same amount and by the same procedures set forth in this Part for banks. This proposed amendment increases the rate of reimbursement for transportation costs to 25 1/2 cents per mile.
- 6) Will this proposed amendment replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date?  
     Yes X No
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objective: The proposed amendment does not create a state mandate on units of local government, school districts or community college districts. Only state banks and corporate fiduciaries are subject to this proposed amendment.

## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF PROPOSED AMENDMENT

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons who desire to comment on this proposed rulemaking may submit their comments in writing no later than 45 days after the publication of this Notice to:
- William L. Conaghan or Barbara K. Shurr  
 Commissioner of Banks and Trust Companies  
 310 South Michigan Avenue, Suite 2130  
 Chicago, Illinois 60604
- 12) Initial Regulatory Flexibility Analysis?  
 A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: February 9, 1990.
- B) Types of small businesses affected: Small businesses which request financial records from banks or corporate fiduciaries pursuant to a lawful subpoena, summons, warrant or court order are affected by this rule.
- C) Reporting, bookkeeping or other procedures required for compliance: None.
- D) Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendment begins on the next page:

## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF PROPOSED AMENDMENT

TITLE 38: FINANCIAL INSTITUTIONS  
CHAPTER II: COMMISSIONER OF BANKS AND TRUST COMPANIESPART 356  
REIMBURSEMENT TO BANKS AND CORPORATE FIDUCIARIES FOR  
FINANCIAL RECORDS

## Section

356.10 General Rule for Reimbursement of Costs

356.20 Rates of Reimbursement

356.30 Documentation of Costs

356.40 Payment of Costs

**AUTHORITY:** Implementing Section 48.1(f) and authorized by Section 48(6) of the Illinois Banking Act (Ill. Rev. Stat. 1987, ch. 17, pars. 360(f) and 359(6) and implementing Section 5-11 and authorized by Section 5-1 of the Corporate Fiduciary Act (Ill. Rev. Stat. 1987, ch. 17, pars. 1555-11 and 1555-1).

**SOURCE:** Adopted at 12 Ill. Reg. 11182, effective August 8, 1988; amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**NOTE:** Bold-face type denotes statutory language.

## Section 356.10 General Rule for Reimbursement of Costs

A bank or corporate fiduciary shall be reimbursed for costs which are reasonably necessary (including but not limited to personnel costs, reproduction costs and transportation costs) and which have been incurred in searching for, reproducing and transporting books, papers, records or other data of a customer which have been requested to be produced pursuant to a lawful subpoena, summons, warrant or court order. (Section 48.1(f) of the Illinois Banking Act, Ill. Rev. Stat. 1987, ch. 17, par. 360(f) and Section 5-11 of the Corporate Fiduciary Act, Ill. Rev. Stat. 1987, ch. 17, par. 1555-11).

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 356.20 Rates of Reimbursement

- a) Personnel costs incurred in locating, retrieving, reproducing and preparing financial records shall be reimbursed at the rate of \$15.00 per hour per person.

## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF PROPOSED AMENDMENT

- b) Reproduction costs incurred in making photocopies of documents shall be reimbursed at 25 cents per exposure. Reproductions of microfilm, microfiche, photographs, films and other materials shall be reimbursed at actual cost.

- c) Transportation costs incurred in transporting bank personnel to locate and retrieve material, and to convey the material to the place of examination shall be reimbursed at the rate of 22 1/2 25 1/2 cents per mile or if a mail or courier service is used, at the actual cost of such service.

- d) All other costs, including, but not limited to telephone calls, telegrams and shipping costs, incurred in searching for, reproducing and transporting data pursuant to a request for financial records shall be reimbursed at actual cost.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 356.30 Documentation of Costs

The bank or corporate fiduciary shall provide to the person requesting such records an itemized invoice indicating in specific detail the costs for:

- a) personnel;  
b) reproduction;  
c) transportation; and  
d) all other costs incurred in searching for, reproducing and transporting data pursuant to a request for financial records.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 356.40 Payment of Costs

At the bank's or corporate fiduciary's option, it may prepare one or more reasonable estimates of the ultimate reimbursement of costs associated with a search for financial records in the form prescribed in Section 356.30 of this Part and require one or more partial payments before proceeding with the work of locating and reproducing the requested documents. Delivery of

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED AMENDMENT

the requested documents may be delayed until final reimbursement of all costs is received.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Administration of the Illinois Public Community College Act

2) Code Citation: 23 Ill. Adm. Code 1501

3) Section Numbers: Proposed Action:

1501.501	amendment
1501.516	amendment
1501.601	amendment
1501.602	amendment
1501.603	amendment
1501.604	amendment
1501.605	amendment
1501.608	amendment
1501.610	new section

4) Statutory Authority: Ill. Rev. Stat., 1987 and 1988 Supp., Ch. 122, par. 102-4 and pars. 105-1 through 105-12

5) A Complete Description of the Subjects and Issues Involved: The ICCB Rules relating to capital projects have not been revised substantially for several years. The proposed amendments to the capital project rules update provisions for the type of capital projects currently being pursued within the community college system. While new main campus construction projects still are requested, major capital activities recently have focused on remodeling existing space and establishing permanent extension sites throughout the district. The rules have been modified to address this trend.

In addition, the proposed rules include provisions to exclude certain capital projects from ICCB approval. Other changes require a formalized long-range district site and construction plan; clarify projects eligible as protection, health, and safety projects; modify the process for locally funded capital project approval; and significantly modify the organization of the rules.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No



ILLINOIS REGISTER  
ILLINOIS COMMUNITY COLLEGE BOARD  
NOTICE OF PROPOSED AMENDMENTS

9) Are there any other proposed amendments pending on this Part? Yes

1501.111 amendment November 3, 1989  
1501.302 amendment November 3, 1989  
1501.302 amendment November 27, 1989  
1501.303 amendment November 3, 1989  
1501.501 amendment November 3, 1989  
1501.501 amendment November 27, 1989  
1501.517 amendment January 5, 1990

10) Statement of Statewide Policy Objectives: Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

David Steelman, Associate Director  
Governmental Relations  
Illinois Community College Board  
509 South Sixth Street, Room 400  
Springfield, Illinois 62701-1874  
Telephone: (217) 785-0028

Written comments on the proposed rulemaking will be accepted for 45 days following publication of this notice.

12) Initial Regulatory Flexibility Analysis: The Illinois Community College Board has determined that this rulemaking will not affect small business.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS REGISTER  
ILLINOIS COMMUNITY COLLEGE BOARD  
NOTICE OF PROPOSED AMENDMENTS  
TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501  
ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section  
1501.101 Definition of Terms  
1501.102 Advisory Groups  
1501.103 Rule Adoption (Recodified)  
1501.104 Manuals  
1501.105 Advisory Opinions  
1501.106 Executive Director  
1501.107 Information Request (Recodified)  
1501.108 Organization of ICCB  
1501.109 Appearance at ICCB Meetings  
1501.110 Appeal Procedure  
1501.111 Reporting Requirements  
1501.112 Certification of Organization  
1501.113 Administration of Mandatory and Voluntary Annexations and New District Formations

SUBPART B: RECOGNITION

Section  
1501.201 Definition of Terms  
1501.202 Recognition Provisions  
1501.203 Evaluation  
1501.204 Review and Appeal  
1501.205 Recognition Standards

SUBPART C: PROGRAMS

Section  
1501.301 Definition of Terms  
1501.302 Units of Instruction, Research, and Public Service  
1501.303 Program Requirements  
1501.304 Statewide and Regional Planning  
1501.305 College, Branch, and Extension Centers  
1501.306 State or Federal Institutions (Repealed)  
1501.307 Cooperative Agreements and Contracts  
1501.308 Reporting Requirements  
1501.309 Course Classification and Applicability

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART D: STUDENTS

Section	Definition of Terms
1501.401	Admission of Students
1501.402	Student Services
1501.403	Academic Records
1501.404	Student Evaluation
1501.405	Reporting Requirements

## SUBPART E: FINANCE

Section	Definition of Terms
1501.501	Financial Planning
1501.502	Audits
1501.503	Budgets
1501.504	Non-Resident Student Tuition Calculations
1501.505	Published Financial Statements
1501.506	Credit Hour Grants
1501.507	Special Populations Grants
1501.508	Economic Development Grants
1501.509	Reporting Requirements
1501.510	Chart of Accounts
1501.511	Business Assistance Grants (Repealed)
1501.512	Advanced Technology Equipment Grant
1501.513	Repair and Renovation Grants
1501.514	Retirees Health Insurance Grants

## SUBPART F: CAPITAL PROJECTS

Section	Definition of Terms
1501.601	Approval of Capital Projects
1501.602	State Funded Capital Projects
1501.603	Locally Funded Capital Projects
1501.604	Project Changes
1501.605	Progress Reports (Repealed)
1501.606	Reporting Requirements
1501.607	Approval of Projects in Section 3-20.3.01 of the Act
1501.608	Completion of Projects Under Section 3-20.3.01 of the Act
1501.609	Demolition of Facilities

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART G: STATE COMMUNITY COLLEGE

Section	Definition of Terms
1501.701	Applicability
1501.702	Recognition
1501.703	Programs
1501.704	Finance
1501.705	Personnel
1501.706	Facilities

## SUBPART H: PERSONNEL

Section	Definition of Terms
1501.801	Sabbatical Leaves

**AUTHORITY:** Implementing and authorized by Article II and Section 3-20.3.01 of the Public Community College Act (Ill. Rev. Stat., 1987 and 1988 Suppl., ch. 122, pars. 102-1 et seq and 102-2.3.01)

**SOURCE:** Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107, and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.





## NOTICE OF PROPOSED AMENDMENT'S

Hazard. . . . A hazard is a risk or peril resulting from unsanitary conditions, deficiencies in codes specified in Section 1501.603f2, conditions increasing the risk of fire, or conditions otherwise endangering human life to a degree greater than normal.

Licensed Architect or Engineer. An architect or engineer licensed by or registered with the Illinois Department of Professional Regulation.  
REGISTRATION AND EDUCATION.

Locally Funded. A "locally funded" project is a capital project which was/has been funded totally funded from local district bond issues, local district operating funds, federal grants, foundation or other grants, gifts, student fees, or any source/which was/not state-appropriated source.

Maintenance Project. A maintenance project is one which keeps a facility or asset in efficient operating condition, preserves the condition of the property, or restores property to a sound state after prolonged use.

Primary Site. A primary site includes any site designated as a college or branch in accordance with Section 1501.305.

[illegible]

Scope. "Scope" is a term relating to the parameters of the project, primarily the physical dimensions of the project and the function of space included therein.

Secondary Site. A secondary site is any location where the district maintains a permanent presence, but does not meet the criteria of a primary site.

State Funded. A "state funded" project is a capital project which has been partially or fully funded with a state appropriation.

Structural Defect/Deficiency Project. A "structural defect/deficiency" project is a capital project which has a defect or deficiency directly attributable to inadequate design or construction, or defective construction materials.

(Source: Amended at 14 Tll. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## NOTICE OF PROPOSED AMENDMENTS

## Section 1501.602 Approval of Capital Projects

- a) Notwithstanding any provision to the contrary, requests for approval of capital projects must be submitted to the ICCB on the forms prescribed by the ICCB.
- b) A project requiring the expenditure of state or local funds for purchase, construction, remodeling, or rehabilitation of physical facilities at a primary or secondary site ~~of the ICCB~~ shall have prior ICCB approval, except the following: (1) locally funded projects that meet the definition of a maintenance project as defined in ICCB Rule 1501.601, or (2) locally funded projects that result in no change in room use, or (3) locally funded projects for which the total estimated cost is less than \$25,000 ~~no funding is required~~.
- c) A District Site and Construction Master Plan shall be filed with the ICCB by January 1, 1991. The purpose of the plan is to apprise the ICCB of possible primary site new construction and secondary site acquisition/construction plans for the next three years throughout the district. The plan should be updated, as needed, to ensure that any project submitted for approval has been reflected in the district plan on file with the ICCB at least two months prior to submission of the project. Any primary site new construction or secondary site acquisition/construction projects must be reflected in the plan in order to receive consideration for approval. The plan, at a minimum, shall consist of a map of the district showing the location of all facilities owned by the district or leased for a period exceeding five years and a narrative describing the district's:

- b) A project requiring the expenditure of state or local funds for purchase, construction, remodeling, or rehabilitation of physical facilities at a primary or secondary site ((b)(6)(B) or (b)(6)(C) of the 1990 Act) shall have prior LCGB approval, except the following: (1) locally funded projects that meet the definition of a maintenance project as defined in ICGB Rule 1501.601, or (2) locally funded projects that result in no change in room use, or (3) locally funded projects for which the total estimated cost is less than \$25,000 ((b)(6)(B) or (b)(6)(C) of the 1990 Act) requested.

- A District Site and Construction Master Plan shall be filed with the ICCB by January 1, 1991. The purpose of the plan is to apprise the ICCB of possible primary site new construction and secondary site acquisition/construction plans for the next three years throughout the district. The plan should be updated, as needed, to ensure that any project submitted for approval has been reflected in the district plan on file with the ICCB at least two months prior to submission of the project. Any primary site new construction or secondary site acquisition/construction projects must be reflected in the plan in order to receive consideration for approval. The plan, at a minimum, shall consist of a map of the district showing the location of all facilities owned by the district or leased for a period exceeding five years and a narrative describing the district's:

- 1) Current permanent facilities where additions are planned.
  - 2) General plans for future site acquisition or acquisition/construction of permanent facilities either on the primary site or secondary sites. The location may be identified in terms of the general geographic area within the district.
  - 3) Proposed schedule for acquiring additional sites, constructing additions to existing facilities, or acquiring/constructing new permanent facilities.
  - 4) The intended use of all proposed site acquisitions and facility acquisition/construction.
- d) The authority to approve ~~such~~ locally funded projects is delegated to the Executive Director of the ICCB, who shall in turn report such actions to the ICCB.

- 22) General plans for future site acquisition or acquisition/construction of permanent facilities either on the primary site or secondary sites. The location may be identified in terms of the general geographic area within the district.

- 3) Proposed schedule for acquiring additional sites, constructing additions to existing facilities, or acquiring/constructing new permanent facilities.

- 4). The intended use of all proposed site acquisitions and facility acquisition/construction.

- d) The authority to approve ~~such~~ locally funded projects is delegated to the Executive Director of the ICCB, who shall in turn report such actions to the ICCB.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)





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- B) The impact on the surrounding environment, including the effect of increased traffic flow.
- C) Accessibility to the site by existing and planned highways and/or streets.
- D) Cost of development of the site in relation to topography, soil condition, and utilities.
- E) Size of the proposed site in relation to projected student population (as determined by census data) and land cost.
- F) The number, location, and characteristics (types of terrain, geography, roadway access, and suitability of the site for building purposes) of alternative sites considered.
- G) The location of the site in relation to existing institutions of higher education.

5) 6) Requests for site acquisition shall include a local board of trustees authorization to purchase the site, a copy of the feasibility study, a local board of trustees resolution that local funds are available, a copy of the Capital Development Board evaluation, three appraisals of the property, and a written request for ICCB approval in addition to the information requested in the Resource Allocation and Management Plan/Community Colleges (RAMP/CC).

6) 7) Evidence of need for the space requested shall be provided either on a general enrollment basis as specified in Section 1501.603e4C ~~1501.603e3C~~ or a specific program need basis as specified in Section 1501.603e4D ~~1501.603e3D~~.

7) 8) The project shall be within the mission of a community college as set forth in Section 10 1-2(e) of the Act.

(c) Application Criteria for Remodeling and Rehabilitation Projects. Projects to remodel and rehabilitate a facility shall require submittal of the following:

- 1) An application on forms prescribed by the ICCB.
- 2) Certification of local board approval of the project(s) requested.
- 3) Certification that funds or credits are available to provide the local share of the project(s) in accordance with Articles IIA and V of the Act.

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- 4) A summary detailing the effects of the remodeling on space usage (classrooms, laboratories, offices...).
- 5) A justification statement regarding the need to remodel.
- d) Application Criteria for Secondary Site Projects. Projects for the acquisition/construction of a new site and/or structure for purposes other than a primary site facility and projects for acquisition of sites and/or structures adjacent to the primary site shall require submittal of the following:
- 1) A resolution by the local board of trustees stating that:
    - A) Local funds or credits are available to provide the local share of the project(s) in accordance with Articles IIA and V of the Act.
    - B) The programs offered have been approved by the ICCB and Illinois Board of Higher Education (IBHE) or approval of these stated programs by those boards is pending.

2) Copies of at least two appraisals of the property.

3) Verification that the condition of the facility is not a threat to public safety. This shall include tests of structural integrity, asbestos, toxic materials, underground storage tanks, and other hazardous conditions. (Findings regarding the existence of these hazards shall not preclude the procurement of the site/structure but the knowledge of the hazardous condition and any costs incurred in correcting the condition shall be incorporated into the total cost of procuring the facility.)

4) Identification of the location of the site and its relationship to the main campus, community college facilities in contiguous districts, and other higher education facilities in contiguous districts.

5) Identification of all estimated costs associated with the purchase and any subsequent construction and/or rehabilitation of the site/structure.

e) Project Priority Criteria. Capital project priorities will be established within the categories named in Section 1501.603a according to the following criteria:

- 1) Land. Requests for state funding for land will be assigned a priority based on the extent to which the state has participated financially in acquiring the following acreage:



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A) Up to 1,500 full-time equivalent on-campus day students in the fall term allows eligibility for ~~reimbursement~~ for the cost of 100 acres.

B) Between 1,500 and 3,000 full-time equivalent on-campus day students in the fall term allows eligibility for ~~reimbursement~~ for the cost of 150 acres.

C) More than 3,000 full-time equivalent on-campus day students in the fall term allows eligibility for ~~reimbursement~~ for the cost of 250 acres.

The lower the amount of state financial participation already provided, the higher the priority of the project.

2) Site Improvements. Requests for state funding for parking areas will be assigned a priority based on the extent to which the state has previously participated financially in spaces for 80 percent of full-time equivalent faculty and staff and spaces for the following percentages of students:

A) When public transportation serves the college at least every two (2) hours during the day, twenty (20) percent of the fall term day or evening headcount enrollment.

B) When public transportation serves the college less frequently, fifty (50) percent of the fall term day or evening headcount enrollment.

C) When no public transportation is available, sixty-five (65) percent of the fall term day or evening headcount enrollment.

The lower the amount of state financial participation already provided, the higher the priority of the project.

3) Other site improvements will be assigned a priority in conjunction with the facilities to which they relate.

4) Buildings, additions, and/or structures (including qualifying fixed equipment and planning funds). Each of the following criteria will be considered in establishing priorities of buildings, additions, and/or structures:

A) Type of space to be constructed (in priority order):

- i) Instructional space including basic classrooms, laboratories and shops, and preparation and storage areas.

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- ii) Learning resource centers including libraries, audio-visual centers, and learning laboratories.
- iii) Administrative and counseling offices.
- iv) Student center, including food service area, lounge area, study area, storage lockers, child care facilities, and facilities for student activities such as newspaper editing, student government, and other student organizations.
- v) Physical education facilities, designed primarily for instructional use.
- vi) Fine arts center, including rehearsal, practice, and studio facilities.
- vii) Support facilities including maintenance shops, garages, warehouses and storage facilities.
- viii) Theater and/or auditorium facilities.
- ix) Physical education facilities, designed primarily for spectator or recreational use.

B) Utilization of Existing Space. Priorities will be assigned so that the higher the weekly on-campus classroom and class laboratory hours of utilization for credit and non-credit courses offered by the college, the higher the priority assigned to a requested project.

C) Requests for space will be assigned priorities so that the less existing permanent space per student a facility has, the higher the priority of the project. For facilities other than occupational program instructional shops, the following amounts of space are considered to be sufficient: for the first 1,500 on-campus full-time equivalent day students, 110 gross square feet (GSF) per on-campus full-time equivalent day student; for the next 1,500 on-campus full-time equivalent day students, 100 GSF per on-campus full-time equivalent day student; for each additional on-campus full-time equivalent day student, 90 GSF per on-campus full-time equivalent day student. For occupational program instructional shops, 140 GSF per on-campus full-time equivalent day student enrollment in courses using such shops will be considered sufficient space.

D) Program Considerations. Consideration will be given to the need for special facilities based on the programs to be housed in the requested facilities. Priorities will be assigned so that the greater the need for special facilities the higher the priority. Criteria for need will be:

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- i) Labor market demand for graduates of the program (as indicated by current manpower data).
- ii) Unavailability of special facilities needed for the program.
- iii) Other special needs as described in the program justification statement submitted by the college with the project request.

- 5) Remodeling or Rehabilitation of Existing Facilities. The following criteria will establish the order of remodeling/rehabilitation projects (in priority order):
  - A) Those projects which will reduce physical health and safety hazards to the general student body and staff (e.g., structural defects/deficiencies).
  - B) Those projects which will reduce physical health and safety hazards to a limited number of students and/or staff (e.g., handicapped modifications).
  - C) Those projects which will result in financial and/or natural resource savings (e.g., energy conservation).
  - D) Those projects which will result in the development of more efficient utilization of existing space.
- 6) Movable Equipment. Equipment priorities will be the same as those of the projects to which the equipment relates.

- 7) Utilities. Utilities will be assigned priorities which are the same as those of the projects to which they relate.
- 8) Additional consideration may be given to the priority ranking of a project if it had previous ICB approval for planning or construction. ~~projects which were funded through~~ ~~total awards and awards/stock states/contractment for a~~ ~~portion of the project expenditures will be ranked below projects seeking state funding prior to construction.~~

f) d) Construction Standards. The following standards shall be applied in the design and construction of facilities:

- I) **Building Efficiency.** Campus-wide building efficiency should be at least 70 percent. However, individual buildings may be below this level if they are high-rise (four or more floors), include a large number of small classrooms and/or labs, or if a large portion of the building is designed for custodial or mechanical purposes to serve the entire campus.

- 2) Facilities Codes. All construction, remodeling, and rehabilitation of facilities shall be in compliance with the following standards:
- A) Uniform Building Code (International Conference of Building Officials, Whittier, California, 1988 1976) or BOCA Basic/National Building Code, 1987 1984 Edition (Building Officials and Code Administrators International, Inc., Country Club Hills, Illinois).
  - B) BOCA Basic/National Mechanical Code, 1987 1984 Edition (Building Officials and Code Administrators International, Inc., Country Club Hills, Illinois).
  - C) National Electrical Code (National Fire Protection Association, Quincy, Massachusetts, 1988 1977).
  - D) Illinois Plumbing Code (77 Ill. Adm. Code 890).

- E) Illinois Accessibility Code Standards / Amendments (71 Ill. Adm. Code 400).
- F) Illinois Rules and Regulations for Fire Prevention and Safety (41 Ill. Adm. Code 100).
- G) National Fire Protection Association 101 Life Safety Code (National Fire Protection Association, Quincy, Massachusetts, 1988 ~~1977~~).

- |           |   |
|-----------|---|
| <u>27</u> | ASHRAE 90-80/75 Energy Conservation in New Building Design (American Society of Heating, Refrigeration, Air Conditioning Engineers, Atlanta, Georgia, <u>1980 1078</u> ). |
| <u>W</u>  | Any local building codes that may be more restrictive than the code listed above.   |

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section I501.604 Locally Funded Capital Projects

- a) All locally funded capital projects shall meet the same requirements as those of the Government of India. All locally funded capital projects must receive prior ICGB approval except those meeting any one of the following criteria:
- b) Requests for ICGB approval of locally funded capital projects must be submitted using forms prescribed by the ICGB. All locally funded capital projects must receive prior ICGB approval except those meeting any one of the following criteria:



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- 1) A project which meets the definition of a maintenance project as specified in Section 1501.601.
- 2) A project which does not create a change in room use.
- 3) A project which is less than \$25,000 regardless of the work being performed.

c) Requests for ICCB approval of locally funded capital projects must be submitted to the ICCB according to the following criteria:

- 1) All capital projects other than those excluded in Section 1501.604b require ICCB approval during the design phase of the project.
- 2) Capital projects estimated to cost in excess of \$2.5 million shall be reported to the ICCB following a project needs assessment.
- 3) The final budget and scope of the project shall be reported to the ICCB after bids are received but before contracts are awarded. If the budget or scope exceeds that approved by the ICCB, the project shall be resubmitted for approval.

d) Application Criteria for New Construction Projects at the Primary Site. Applications for new construction projects submitted to the ICCB shall have attached to them the following:

- 1) A copy of the resolution or motion passed by the local board of trustees approving the budget and scope of the project.
- 2) A statement identifying the source of local funds for the project.
- 3) A statement of the project's location, showing the location of the project on a map of the local board's jurisdiction, showing the location of the project on a map of the local board's jurisdiction, showing the location of the project on a map of the local board's jurisdiction.
- 4) A statement of the project's location, showing the location of the project on a map of the local board's jurisdiction, showing the location of the project on a map of the local board's jurisdiction, showing the location of the project on a map of the local board's jurisdiction.
- 5) A statement of the project's location, showing the location of the project on a map of the local board's jurisdiction, showing the location of the project on a map of the local board's jurisdiction, showing the location of the project on a map of the local board's jurisdiction.

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- A) The location of the site in relation to geography and population of the entire district and its relation to sites of the district's other colleges, community college facilities in other contiguous districts, and other higher education facilities in contiguous districts.
- B) The impact on the surrounding environment, including the effect of increased traffic flow.
- C) Accessibility to the site by existing and planned highways and/or streets.
- D) Cost of development of the site in relation to topography, soil condition, and utilities.
- E) Size of the proposed site in relation to projected student population (as determined by census data) and land cost.
- F) The number, location, and characteristics (types of terrain, geography, roadway access, and suitability of the site for building purposes) of alternative sites considered.
- G) Requests for primary site acquisition shall include three appraisals of the property.
- H) Evidence of need for the space requested shall be provided either on a general enrollment basis as specified in Section 1501.603e4C or a specific program need basis as specified in Section 1501.603e4D.
- I) The project shall be within the mission of a community college as set forth in Section 1-2(e) of the Act.
- J) Application Criteria for Projects Funded in Accordance with Section 3-37 of the Act. In addition to the above, applications for projects proposed for funding in accordance with Section 3-37 of the Act must include:
  - 1) A copy of the proposed lease agreement showing that income is sufficient to pay the costs of constructing or acquiring and operating and maintaining the facility for the life of the installment loan arrangement entered into by the college.
  - 2) A copy of the loan arrangement entered into by the college showing the installment costs to be incurred by the college.



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- 3) Any other agreement between the college and another group which commits funds toward the project by that group.

f) Application Criteria for Remodeling and Rehabilitation Projects.  
Projects to remodel and rehabilitate a facility shall require submittal of the following:

- 1) A copy of the resolution or motion passed by the local board of trustees approving the budget and scope of the project.
- 2) A statement identifying the source of local funds for the project.
- 3) A summary detailing the effects of the remodeling on space usage (classrooms, laboratories, offices...).
- 4) A justification statement regarding the need to remodel.

g) Application Criteria for Secondary Site Projects. Projects for the acquisition/construction of a new site and/or structure for purposes other than a primary site facility and projects for acquisition of sites and/or structures adjacent to the primary site shall require submittal of the following:

- 1) A resolution by the local board of trustees stating that:
  - A) Funds are available to procure the site.
  - B) The programs offered have been approved by the ICCB and IHE or approval of these stated programs by those boards is pending.

- 2) Copies of at least two appraisals of the property.

- 3) Verification that the condition of the facility is not a threat to public safety. This shall include tests of structural integrity, asbestos, toxic materials, underground storage tanks, and other hazardous conditions. (Findings regarding the existence of these hazards shall not preclude the procurement of the site/structure but the knowledge of the hazardous condition and any costs incurred in correcting the condition shall be incorporated into the total cost of procuring the facility.)

- 4) Identification of the location of the site and its relationship to the main campus, community college facilities in other contiguous districts, and other higher education facilities in contiguous districts.

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- 5) Identification of all estimated costs associated with the purchase and any subsequent construction and/or rehabilitation of the site/structure.

- h) Construction projects for use by the college which are financed in whole or in part by college foundations are to be submitted for ICCB approval as locally funded projects.

- i) The college shall not utilize local funds for capital projects relating to facilities not owned by the college and which are leased for a period of five years or less. If capital projects relating to facilities leased in excess of five years are considered, application must be made in the same manner as for other locally funded projects.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

Section 1501.605 Project Changes

- 4) Changes in budget and/or scope to approved construction projects shall be submitted to the ICCB for approval according to the following criteria: //

- a) Changes in budget/scope totaling five percent or less of the approved project budget/scope shall be reconciled at the completion of the project and submitted to the ICCB for information purposes.

- b) When changes in the project budget/scope have reached five percent, any subsequent change modifying the budget/scope of the project shall require approval by the ICCB Executive Director, prior to expenditure of funds on the additional work.

- b) When a project is approved by the ICCB, the project shall be approved by the ICCB Executive Director, prior to expenditure of funds on the additional work.

- 1) When a project is approved by the ICCB, the project shall be approved by the ICCB Executive Director, prior to expenditure of funds on the additional work.

- 2) When a project is approved by the ICCB, the project shall be approved by the ICCB Executive Director, prior to expenditure of funds on the additional work.

- 3) When a project is approved by the ICCB, the project shall be approved by the ICCB Executive Director, prior to expenditure of funds on the additional work.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)



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- 1) Heading of the Part: Certification
- 2) Code Citation: 23 Ill. Adm. Code 25
- 3) Section Numbers:
- |        |                         |
|--------|-------------------------|
| 25.705 | <u>Proposed Action:</u> |
| 25.717 | Amendment               |
| 25.730 | New Section             |
| 25.732 | Amendment               |
| 25.750 | New Section             |
| 25.755 | Amendment               |
| 25.780 | Amendment               |
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 122, par. 21-1a, as amended by Public Act 86-734
- 5) A Complete Description of the Subjects and Issues Involved:

These rules concern the testing program for teachers who seek Certification. The rules are being amended for several reasons:

- Sections 25.750(d), (g) (7-9), and (h), and 25.755(c) clarify the conditions of testing and duties of examinees.
- Changes to Section 25.730(a), (c), (e); and Section 25.750 (a), (b), (g)(2), (4) and (5) are designed to clarify registration deadlines and other testing conditions.
- Section 25.732 has been added, and Section 25.780 amended to include a late registration process, the need for which has arisen from one and one-half years of operating the testing program.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?  
       Yes ☐ No ☒
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No

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- 10) Statement of Statewide Policy Objectives: Adoption of these amendments will not create or enlarge a State mandate
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:
- Susan K. Bentz  
 Illinois State Board of Education  
 100 North First Street  
 Springfield, Illinois 62777-0001  
 (217) 782-3774
- 12) Initial Regulatory Flexibility Analysis: These amendments will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:



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## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER b: PERSONNEL

## PART 25

## CERTIFICATION

## SUBPART A: DEFINITIONS

## Section

25.10 Definition of Terms Used in This Part

## SUBPART B: CERTIFICATES

## Section

25.20 State Elementary School Certificate

25.30 State High School Certificate

25.40 State Special Certificate

25.43 Standards for Certification of Special Education Teachers

25.45 Standards for the Standard Special Certificate--Speech and Language Impaired

25.50 General Certificate

25.60 State Special Certificate, Grades 11-12, For Teaching

Elective Subjects

25.70 State Provisional Vocational Certificate

25.80 Early Childhood Certificates

25.90 Transitional Bilingual Certificate and Examination

25.95 Majors, Minors, and Separate Fields for the Illinois

High School Certificate

25.99 Endorsing Teaching Certificates

SUBPART C: APPROVING THE TEACHER EDUCATION PROGRAMS OF THE  
TEACHER EDUCATION INSTITUTIONS OF THE STATE OF ILLINOIS

## Section

25.110 System of Approval: Levels of Approval

25.120 Standards and Criteria for Institutional Recognition and Program Approval

25.130 Procedures for Initial Recognition as a Teacher

Education Institution

25.140 Procedures for Approval of New or Modified Teacher

Education Programs and Consortia

25.150 The Periodic Review Process

## SUBPART D: SCHOOL SERVICE PERSONNEL

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Section  
25.210 Requirements for the Certification of School Social Workers

25.220 Requirements for the Certification of Guidance Personnel

25.230 Requirements for the Certification of School Psychologists

25.240 Standard for School Nurse Endorsement

SUBPART E: REQUIREMENTS FOR THE CERTIFICATION OF ADMINISTRATIVE  
AND SUPERVISORY POSITIONS

## Section

25.310 Definitions (Repealed)

25.311 Administrative Certificate

25.320 Application for Approval of Program (Repealed)

25.322 General Supervisory Endorsement

25.330 Standards and Guide for Approved Programs (Repealed)

25.333 General Administrative Endorsement

25.344 Chief School Business Official Endorsement

25.355 Superintendent

## SUBPART F: GENERAL PROVISIONS

## Section

25.405 Military Service

25.410 Revoked Certificates

25.415 Credit in Junior College

25.420 Psychology Accepted as Professional Education

25.425 Individuals Prepared in Out-of-State Institutions

25.427 Three-Year Limitation

25.430 Institutional Approval

25.435 School Service Personnel Certificate--Waiver of

Evaluations

25.440 Master of Arts NCATE

25.445 College Credit for High School Mathematics and Language Courses

25.450 Lapsed Certificates

25.455 Substitute Certificates

25.460 Provisional Special and Provisional High School

Certificates

25.465 Credit

25.470 Meaning of Experience on Administrative Certificates

25.475 Certificates and Permits No Longer Issued

25.480 Credit for Certification Purposes

25.485 Provisional Recognition of Institutions

25.490 Rules for Certification of Persons Who Have Been

Convicted of a Crime

25.493 Part-Time Teaching Interns

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25.495 Approval of Out-of-State Institutions and Programs  
25.497 Supervisory Endorsements

SUBPART G: THE UTILIZATION OF TEACHER AIDES AND  
OTHER NONCERTIFIED PERSONNEL

Section  
25.510 Teacher Aides  
25.520 Other Noncertificated Personnel  
25.530 Specialized Instruction by Noncertificated Personnel  
25.540 Approved Teacher Aide Programs

## SUBPART H: CLINICAL EXPERIENCES

Section  
25.610 Definitions  
25.620 Student Teaching  
25.630 Pay for Student Teaching

## SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section  
25.705 Purpose - Severability  
25.710 Definitions  
25.715 Test Validation  
25.717 Test Equivalence  
25.720 Applicability of Testing Requirement  
25.725 Applicability of Scores  
25.730 Registration  
25.732 Late Registration  
25.735 Frequency and Location of Examination  
25.740 Accommodation of Persons with Special Needs  
25.745 Special Test Dates  
25.750 Conditions of Testing  
25.755 Voiding of Scores  
25.760 Passing Score  
25.765 Individual Test Score Reports  
25.770 Rescoring  
25.775 Institution Test Score Reports  
25.780 Fees

AUTHORITY: Implementing Article 21 and authorized by Section 2-3.6 of The School Code (Ill. Rev. Stat. 1987, ch. 122, pars. 21-1 et seq. and 2-3.6, as amended by Public Act 86-734, effective September 1, 1989).

SOURCE: Rules and Regulations to Govern the Certification of Teachers adopted September 15, 1977; amended at 4 Ill. Reg. 28, p. 336, effective July 16, 1982; amended at 7 Ill. Reg. 5429, effective April 11, 1983; codified at 8 Ill. Reg. 1441; amended at 9 Ill. Reg. 1046, effective January 16, 1985; amended at 10 Ill. Reg. 12578, effective July 8, 1986; amended at 11 Ill. Reg. 15044, effective August 28, 1986; amended at 12 Ill. Reg. 12670, effective July 15, 1987; amended at 12 Ill. Reg. 3709, effective February 1, 1988; amended at 12 Ill. Reg. 16022, effective September 23, 1988; amended at 14 Ill. Reg. 1243, effective January 8, 1990; amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_.

NOTE: Capitalization denotes statutory language.

## SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section 25.705 Purpose - Severability

- a) This Subpart establishes procedures and requirements for the Illinois Certification Testing System, as required by Section 21-1a of The School Code (Ill. Rev. Stat. 1985 1987, ch. 122, par. 21-1a).
- b) If any provision of this Subpart or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Subpart which can be given effect without the invalid provision or application, and to this end the provisions of this Subpart are declared to be severable.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 25.717 Test Equivalence

- a) The State Board of Education will implement the following procedures to maintain uniformity in the difficulty level of each form of the basic skills test and each subject matter knowledge test from test-to-test and from year-to-year. These procedures will conform to the accepted professional standards for test score comparability and equating promulgated by the National Council on Measurement in Education, the American Educational Research Association, and the American Psychological Association as presented in the "Standards for Educational and Psychological Testing" (1985) published by the American Psychological



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Association. No later amendments to these standards are incorporated by this rule.

- b) To achieve uniformity of test form difficulty, all test content advisory committees (See Section 25.715) shall be given identical orientation and training sessions throughout each step in test development and in standard setting. As a further measure to maintain test equivalence, when a new test form is produced, new items shall be matched to the items they are replacing in terms of average item difficulty statistics. Following the administration of a new test form, test scores for new test forms shall be made comparable in difficulty with the test scores on the previous test form by statistical test equating.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 25.730 Registration

Registration materials and information about the tests will be available from the State Board of Education, 100 North First Street, Springfield, Illinois 62777-0001.

- a) An individual's registration form must be postmarked by the registration deadline, must be received by the State Board of Education no later than six days after the registration deadline and must include the following: either received by the State Board of Education on or before the registration deadline or must be postmarked by the United States Postal Service on or before the registration deadline and received by the State Board of Education by the late registration deadline as specified in Section 25.732. An individual's registration form must include the following:

- 1) Registrant's name, both home address and address while at school, telephone number, Social Security number, date of birth, sex, ethnicity, and certification status;
- 2) Name and identification number of test(s);
- 3) Test date and test site identification number;
- 4) Name of Illinois teacher preparation institution attended, if applicable, and student status within said institution;

- 5) An assurance that the registrant will abide by all the conditions of testing set forth in Section 25.750 of this Part;

- 6) An assurance that the registrant has not had and will not seek access to any secure test materials prior to the test date; and

- 7) The registrant's signature, which shall certify that the facts and assurances presented are true to the best of the registrant's knowledge and belief.

- b) The State Board of Education will acknowledge receipt of registration forms within four weeks of their receipt.

- c) An individual may amend or cancel his or her registration by submitting a properly completed change of registration form to the State Board of Education. The change of registration form must be postmarked by the registration deadline and must be received by the State Board of Education no later than six calendar days after the registration deadline either received by the State Board of Education on or before the registration deadline or must be postmarked by the United States Postal Service on or before the registration deadline and received by the State Board of Education by the late registration deadline as specified in Section 25.732 of this Part. Changes that may be made by an individual to his or her registration are:

- 1) changing the test site or test date;
- 2) adding a test or tests; and
- 3) deleting a test or tests.
- d) All requests for changes to a registration, except for deletion of a test or tests, must be accompanied by payment of the appropriate fee as set forth in Section 25.780 of this Part.
- e) An individual who cancels her or his registration in accordance with this Section, including meeting the specified deadline, will receive a partial refund as set forth in Section 25.780 of this Part. An



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individual who cancels his or her registration other than in strict accordance with this Section, or who is absent from the test administration, will receive no refund or credit of any kind.

- f) The registration deadline for each test administration will be six calendar weeks prior to the test administration date.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 25.732 Late Registration

Late registration for individuals not meeting the deadlines established in Section 25.730 will be permitted.

- a) An individual's late registration form must be received by the State Board of Education no later than the close of business three weeks before the date of test administration and must include the information specified in Section 25.730(a).

- b) The State Board of Education will acknowledge receipt of late registration forms within two weeks of their receipt.

- c) All requests for a late registration must be accompanied by payment of the appropriate fee as set forth in Section 25.780.

- d) Late registration requests for the accommodation of persons with special needs as specified in Section 25.740 or a special test date as specified in Section 25.745 will be honored by the State Board of Education only if space, staff, and time constraints allow.

- e) An individual may amend or cancel his or her registration or late registration after the registration deadline but on or before the late registration deadline by submitting a properly completed late change of registration form to the State Board of Education. The late change of registration form must be received by the State Board of Education by the late registration deadline. No refunds for changes in late registration will be permitted. Changes that may be made by an individual to his or her registration or late registration are:

- 1) changing the test site or test date;

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- 2) adding a test or tests; and  
3) deleting a test or tests.

- f) All requests for changes to a late registration, except for deleting of a test or tests, must be accompanied by the appropriate fee for a change in registration as set forth in Section 25.780.

- g) All requests for a change to a regular registration received by the State Board of Education between the registration and late registration deadlines must be accompanied by the appropriate fee for a change in registration and for a late registration as set forth in Section 25.780.

- h) The late registration deadline for each test administration will be three calendar weeks prior to the test administration date.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## Section 25.750 Conditions of Testing

- a) On the day of the test, each person shall present the admission ticket received following test registration and two pieces of positive identification, one of which shall include a photograph taken within the last four (4) years. Positive identification includes, but is not limited to, a driver's license, student identification card, Illinois identification card, passport, employee identification card, Social Security card, birth certificate, or selective service registration card. Any person lacking sufficient identification will be required to sign a declaration of identity statement. Any person lacking sufficient identification and refusing to sign a declaration of identity statement will be refused admission.

- b) Persons arriving more than 30 minutes after a test administration has begun will be refused admission. Persons arriving within 30 minutes after a test administration has begun will be required to sign an acknowledgment of late arrival specifying that no additional time will be allotted beyond that already given to the other examinees for the session.

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- c) No refund of fees will be made to any person refused admission under subsection (a) or (b) of this Section.
- d) Each person admitted to a testing site shall abide by the instructions of the proctors administering the test in all matters relating to the test, including but not limited to seating arrangements and security measures. Each person authorizes the proctors to serve as his or her agents in maintaining a secure test administration.
- e) Each person beginning a test shall take every section of that test. The score of a person not completing all sections of a test will be reported as set forth in Sections 25.765 and 25.775 of this Part, unless such person requests voiding of that score as provided in Section 25.755 of this Part.
- f) No refund will be made to any person requesting that his or her score be voided, nor will credit be given toward the fee for any future test.
- g) No person may:
- 1) use written notes during a test;
  - 2) make notes or copies of the contents of a test booklet;
  - 3) use scratch paper;
  - 4) use any mechanical device, except as expressly permitted in the registration materials (i.e., use of a nonprogrammable, solar or battery-powered calculator during the chemistry, mathematics, and physics subject matter tests);
  - 5) communicate in any way with other examinees or any person other than the proctors during a test session; or
  - 6) remove any test materials from the testing site;
  - 7) engage in behavior that disrupts or gives unfair advantage or disadvantage to other examinees;
  - 8) fail to sign the document(s) on which he or she is directed to record his or her answers; or

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- 2) fail to follow the oral or written instructions or directions of the proctors dealing with the administration of the test.

- h) Any person taking a test agrees that liability for test administration activities, including but not limited to the adequacy and accuracy of test materials and test conditions, and the accuracy of registration and administrative processes and score reports, will be limited to score correction or the retaking of the test at no additional fee. Any person taking a test waives his or her rights to all further claims arising out of any acts or omissions of the State Board of Education or the contractor for the test administration.

(Source: Amended at Ill. Reg. \_\_\_\_, effective \_\_\_\_)

## Section 25.755 Voiding of Scores

- a) A person shall have the right to void his/her test score(s). Such a request must be submitted in writing and received by the State Board of Education within seven calendar days after the date of the test.
- b) A person's score(s) will be voided by the State Board of Education due to violation by the person of any of the conditions of testing enumerated in Section 25.750(d), (e), and (g) of this Part. The State Board of Education shall notify the person of such action within three weeks after the test date. This shall not limit such person's right to take the test(s) at a subsequent administration.
- c) The Illinois State Board of Education will also void any affected test score if:
- 1) any person taking the test engages in any form of misconduct having the purpose or effect of
    - A) giving any person taking the test an unfair advantage over other examinees,
    - B) affecting, either positively or negatively, the performance of any person taking the test, or
    - C) representing the performance of the named registered examinee by the performance of another person;



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2) there is any testing irregularity that calls into question

A) the accuracy of the test scores as measures of the actual performances of the examinees.  
or

B) the validity of the test scores as measures of the performances of the examinees in light of the conditions and circumstances under which the test was administered; or

3) there is any reason to question the score's validity or accuracy under the specific facts and circumstances then pertaining.

d) The State Board of Education shall notify the person of such action within three weeks after the test date. This shall not limit such person's right to take the test(s) at a subsequent administration.

e) No refund will be given to any person whose score is voided.

f) If a score is voided for any reason, it will not be reported or entered on any records. All records of the person's test responses, including but not limited to answer sheets and electronic media records, will be destroyed and will be irretrievable.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)

## Section 25.780 Fees

a) Each registration form shall be accompanied by payment of a fee in the amount of \$44.00 per test to be taken.

b) Each request for rescoring of a test shall be accompanied by payment of a fee in the amount of \$25.00, which shall be refunded if the original scoring is found to be in error.

c) Each request for an additional individual score report shall be accompanied by payment of a fee in the amount of \$10.00.

d) Each change of registration form or change of late registration form requesting a change in the test(s),

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test date or test site for which the individual is scheduled shall be accompanied by payment of a fee in the amount of \$15.00.

e) Each change of registration form or change of late registration form requesting to add a test or tests to an individual's registration shall be accompanied by payment of a fee in the amount of \$44.00 per test to be added.

f) An individual who cancels his or her registration in accordance with Section 25.730 of this Part shall receive a refund in the amount of \$22.00 per test for which he or she registered.

g) Each late registration form shall be accompanied by payment of a fee of \$30.00 in addition to the payment of the fee for each test to be taken as specified in this Section.

h) Only certified bank checks, cashiers' checks, and money orders will be accepted for payment of fees.

(Source: Amended at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_\_\_)



NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Health and Safety
- 2) Code Citation: 56 Ill. Adm. Code 350
- 3) Section Numbers:  
350.195  
350.280  

Proposed Action:  
Amendment  
Amendment
- 4) Statutory Authority: Implementing and authorized by "AN ACT in relation to safety inspections and education in industrial and commercial establishments and to repeal an Act herein named" (Ill. Rev. Stat. 1987, ch. 48, par. 59.1 et seq.) and the Health and Safety Act (Ill. Rev. Stat. 1987, ch. 48, par. 137.1 et seq.).
- 5) A Complete Description of the Subjects and Issues Involved:  
Section 350.195 is being revised to change the hearing procedures reference since the currently cited hearing regulations have been changed and are no longer applicable to the Safety Division's purposes.  
Section 350.280 (a) and (b) are being amended to adopt current Federal Occupational Safety and Health Administration Standards. A comparison of the current and revised standards are available from the Department upon request.
- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? Yes. 13 Ill. Reg. 5839, dated April 28, 1989; proposed Firefighter Safety Regulations.
- 10) Statement of Statewide Policy Objectives: The Health and Safety Act requires that the regulations of the Federal Occupational Safety and Health Administration be adopted as often as necessary to ensure that the standards remain current. It has been approximately 18 months since these regulations were last revised. Without these amendments, adopting the latest regulatory changes of the Federal Occupational Safety and Health Administration, Illinois public sector workers would not be provided a workplace as safe and healthy as possible. This change is necessary for the safety and health of Illinois public sector workers.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENT

Jeffrey H. Busch  
Illinois Department of Labor  
1 West Old State Capitol Plaza  
Room 300  
Springfield, Illinois 62701  
Telephone: (217) 782-9386  
Written comments will be accepted by the above.  
Also, a public hearing has been scheduled for March 20, 1990, at 10 A.M.  
at the above address.

- 12) Initial Regulatory Flexibility Analysis:  
A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: February, 1990  
B) Type and number of small businesses or municipalities affected: Small businesses are not affected in any. All municipalities will be affected but the impact will be positive.  
Safety and health problems are not created by this action; when the change is operational, they are merely cited and a reasonable date set for the correction of unsafe and unhealthy conditions.  
Costs associated with correction are already an outstanding obligation of public employers. Also, the variance provisions of the regulations allow the public employer to make correction within the framework of its revenues.  
Savings to public employers due to fewer workplace injuries and occupational diseases, lower workers' compensation costs, and better employee morale and productivity are unmeasurable.  
A figure in the range of \$480,000,000 are spent annually by public sector employers in Illinois on workers compensation. The safety and health regulations are intended to reduce the expenditure of public funds by reducing the workplace related injuries and sicknesses. The Department is stressing educational and advisory activities to the extent requested by public sector employers.  
C) Reporting, bookkeeping or other procedures required for compliance:  
Information regarding workplace related injuries and sicknesses must be kept and posted annually. Also, information regarding fatal accidents must be reported immediately to the Department. These requirements are not changed by this proposed amendment.  
D) Types of professional skills necessary for compliance: No special skills are absolutely necessary.

The full text of the Proposed Rule(s) begins on the next page:

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENT

## TITLE 56: LABOR AND EMPLOYMENT

## CHAPTER I: DEPARTMENT OF LABOR

## SUBCHAPTER B: REGULATION OF WORKING CONDITIONS

PART 350  
HEALTH AND SAFETY

## SUBPART A: INSPECTIONS AND CITATIONS

Section	Paragraph and Scope
350.10	Penalties
350.20	Penalties
350.30	Posting of Notice
350.40	Availability of Rules and Standards
350.50	Inspection Authority
350.60	Advance Notice of Inspection
350.70	Notice of Inspections
350.80	Closing Conferences
350.90	Representatives of Employers and Employees
350.100	Objections During Inspection
350.110	Trade Secrets or Confidential Information
350.120	Consultation with Employees
350.130	Complaints by Employees
350.140	Imminent Danger
350.150	Citations
350.160	Posting of Citations
350.170	Appeal of Citation
350.180	Appeal of Abatement Period
350.190	Petition for Variance from Standards
350.195	Hearings
350.200	Advisory Inspections

## SUBPART B: RECORDS OF INJURIES AND ILLNESSES

Section	Paragraph
350.210	Emergency Notification
350.220	Recordable Injuries and Illnesses
350.230	Log of Injuries and Illnesses
350.240	Supplementary Record of Injuries and Illnesses
350.250	Annual Summary
350.260	Retention of Records
350.270	Access to Records

## SUBPART C: STANDARDS

Section	Paragraph
350.280	Adoption of Federal Standards

AUTHORITY: Implementing and authorized by "AN ACT in relation to safety inspections and education in industrial and commercial establishments and to repeal an Act therein named" (Ill. Rev. Stat. 1987, ch. 48, par. 59.1 et seq.) and the Health and Safety Act (Ill. Rev. Stat. 1987, ch. 48, par. 137.1 et seq.).

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENT

SOURCE: Emergency rules adopted at 9 Ill. Reg. 17004, effective October 17, 1985, for a maximum of 150 days; adopted at 11 Ill. Reg. 8765, effective May 14, 1986; amended at 11 Ill. Reg. 2798, effective January 28, 1987; amended at 12 Ill. Reg. 17086, effective October 11, 1988; amended at 14 Ill. Reg. \_\_\_\_, effective \_\_\_\_.

## SUBPART A: INSPECTIONS AND CITATIONS

## Section 350.195 Hearings

Hearings conducted by the department under this Part shall be conducted in accordance with the Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 100 et seq.) and the provisions of the department's rules on prevailing wage hearing procedures (56 Ill. Adm. Code 400). Private Employment Agencies hearing procedure (68 Ill. Adm. Code Part 680.230).

(Source: Amended at 14 Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

## SUBPART C: STANDARDS

## Section 350.280 Adoption of Federal Standards

- a) Pursuant to Section 4 of the Health and Safety Act, the Department hereby adopts by reference the general health and safety standards and special maritime and construction industry standards adopted by the Federal Occupational Safety and Health Administration as effective on July 1, 1988 July 1, 1989. These standards are located at 29 CFR 1910, 1915, and 1926.

- b) The Department shall consider any amendments to the health and safety standards adopted by the Federal Occupational Safety and Health Administration subsequent to July 1, 1988 July 1, 1989. Such amendments will be adopted by reference, or substitute provisions which provide equivalent protection will be adopted, quarterly or as often as necessary to insure that the standards remain current. Amendments will be adopted through filing with the Secretary of State and publication in the Illinois Register as required by Section 5.01 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1005.01).

(Source: Amended at 14 Ill. Reg. \_\_\_\_, effective \_\_\_\_.)

## LEGISLATIVE INFORMATION SYSTEM

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Access to Legislative Information System Information

2) Code Citation: 3 Ill. Adm. Code 600

3) Section number: Proposed Action:

600.10	Amend
600.20	Amend
600.40	Amend
600.70	Amend
600.80	Amend
600.85	Amend
600.90	Amend

4) Statutory Authority: An Act in relation to the Legislative Information System (Ill. Rev. Stat. 1987, ch. 63, pars. 1001.3, 42.15, and 42.16); and the Illinois Administrative Procedure Act (ch. 127, par. 1007).

5) A Complete Description of the Subjects and Issues Involved: The Legislative Commission Reorganization Act of 1984 (ch. 63, par. 1001.3) lists the Legislative Information System as a Legislative Support Services Agency. Computer Systems as used in Ill. Rev. Stat. 1987, ch. 63, par. 42.16 is made up of computer data. Through approval from the Joint Committee on Legislative Support Services who have general responsibility for establishing policy and coordinating activities and responsibilities among the Legislative Support Services Agencies and with the approval of the Legislative Information System's twelve member board, responsibilities as outlined under Section 600.85 were approved for repeal. The Secretary of State's Office now provides these services as outlined in the Illinois Administrative Procedure Act (ch. 127, par. 1007).

6) Will this proposed amendment replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 30 day of the date of publication to:

John T. Hatcher  
Legislative Information System  
705 Stratton Office Building  
Springfield, IL 62706  
217/782-3944

## LEGISLATIVE INFORMATION SYSTEM

## NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: February 14, 1990.
- B) Types of small businesses affected: No small businesses are effected.
- C) Reporting, bookkeeping or other procedures required for compliance: Not applicable.
- D) Types of professional skills necessary for compliance: Not applicable.

The full text of the Proposed Amendments begins on the next page:



NOTICE OF PROPOSED AMENDMENT(S)

TITLE 3: LEGISLATURE

SUBTITLE B: LEGISLATIVE MANAGEMENT AGENCIES  
CHAPTER II: LEGISLATIVE INFORMATION SYSTEM

PART 600

ACCESS TO LEGISLATIVE INFORMATION SYSTEM INFORMATION

- Section 600.10 Definitions
- 600.20 Priority of Access
- 600.30 Access by the General Assembly
- 600.40 Access by Legislative Management Support Service Agencies
- 600.50 Access by Legislative Agencies
- 600.60 Access by State Agencies
- 600.70 Access to Computer-Data by Outside Users
- 600.80 Access by Report Subscription Users
- 600.85 Copies of the Administrative Code Data Base (Repealed)
- 600.90 Billing and Collection of User Fees

AUTHORITY: Implementing and authorized by Sections 5 and 6 of "AN ACT in relation to a Legislative Information System" (Ill. Rev. Stat. 1987, ch. 63, pars. 42.15 and 42.16).

SOURCE: Adopted at 2 Ill. Reg. 48, p. 1, effective December 1, 1978; emergency amendment at 4 Ill. Reg. 3, p. 45, effective January 7, 1980 for a maximum of 150 days; amended at 4 Ill. Reg. 19, p. 235, effective May 15, 1980; emergency rule adopted and codified at 6 Ill. Reg. 7843, effective July 1, 1982 for a maximum of 150 days; rule repealed and new rule adopted and codified at 6 Ill. Reg. 13742, effective October 26, 1982; emergency amendment at 7 Ill. Reg. 5725, effective April 26, 1983 for a maximum of 150 days; amended at 7 Ill. Reg. 11524, effective September 12, 1983; amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 600.10 Definitions

"General Assembly" - This term shall include the Illinois House of Representatives, the Illinois State Senate, the Clerk of the House, the Secretary of the Senate, committees created by rules of the legislative body, committee chairpersons and spokespersons, legislators and legislative staffs assigned to the leadership and standing committees.

"Legislative Agencies" - This term shall include all committees, joint committees, select committees, commissions, boards, councils, bureaus, etc. comprised of any legislative members appointed by the Speaker of the House, President of the Senate or the respective minority leaders that are not covered under the definition for General Assembly or Legislative-Management Support Service Agencies.

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 3: LEGISLATURE

SUBTITLE B: LEGISLATIVE MANAGEMENT AGENCIES  
CHAPTER II: LEGISLATIVE INFORMATION SYSTEM  
Act of 1984 (Ill. Rev. Stat. 1987, ch. 63, par. 1001.3).

"LIS" - This term means the Legislative Information System.

"Outside Users" - This term shall include all other government entities, organizations and private persons requesting access to the Legislative computer and information available from the computer except the General Assembly, Legislative Management, Legislative and State agencies.

"Report Subscription Users" - This term shall include all users of LIS subscribing to the weekly report service except The General Assembly, Legislative Management, Legislative and State agencies.

"State Agencies" - This term shall include Departments, Boards and Commissions of the Executive and Judicial Branches of government who are annually appropriated funds for their operations by the Illinois General Assembly.

"System" - This term represents the membership of the Legislative Information System created by Public Act 80-683 "An Act in relation to a Legislative Information System" as amended (Ill. Rev. Stat. 1987, ch. 63, par. 42.11 et seq.).

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

Section 600.20 Priority of Access

a) The Executive Director shall be responsible for the establishment of priority of access wherever necessary, based on the following listing of priority users from highest to lowest priority.

- 1) General Assembly
- 2) Legislative-Management Support Service Agencies
- 3) Legislative Agencies
- 4) State Agencies
- 5) Outside Users
- 6) Report Subscription Users

b) The Executive Director shall assign lower priority, temporarily terminate access or take other suitable action when required to maintain services to the General Assembly and/or Legislative Management Support Service agencies.

c) Access to non-legislative users shall be granted in such a manner that the quality of service available to the General Assembly, Legislative Management Support Service Agencies and Legislative Agencies is in no

## LEGISLATIVE INFORMATION SYSTEM

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way reduced.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 600.40 Access by Legislative Management Support Service Agencies

LIS shall provide access to the programs developed and/or maintained by LIS, develop new programs and applications, provide such technical services as required and provide the data processing equipment required for access to the system pursuant to appropriations made to the System.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 600.70 Access to Computer Data by Outside Users

a) Pursuant to Chapter 63, Section 42.16 of the Illinois Revised Statutes (1979), LIS may provide direct access to the Bill-Status-System computer data to private persons, organizations and non-state agencies, and may sell copies of computer data residing on its systems.

b) LIS will, annually, establish a fee for each direct access and/or copies of data that shall be based on the State's cost of providing such service or data and may include a provision for a monthly charge based on the usage of the System or other charges incurred by LIS in providing such service and/or data.

c) Charges for this direct access shall be governed by the following conditions, which shall also be made part of a standard contract between LIS and Outside Users of the Bill-Status-System computer data.

- 1) Access shall be provided by dial-up telephone lines unless other forms of access are specifically approved for an individual paying user of the System.
- 2) Access will be provided only at times when the Bill-Status-System computer data is available to its regular legislative users.
- 3) Paying users of the Bill-Status-System computer data shall have access to the system via telephones lines shared with other users.
- 4) Paying users are not to allow third parties to use the accessing capabilities of the Bill-Status-System computer data, unless this provision is waived by contractual agreement between LIS and the user.
- 5) LIS will make available reasonable amounts of training in the usage of the Bill-Status-System computer data at its Springfield office. The costs incurred for training at the users location or any location outside of Springfield shall be payable by the user.
- 6) Paying users shall, in addition to the fee charged by LIS, be responsible for all costs of communicating with the Bill

## LEGISLATIVE INFORMATION SYSTEM

## NOTICE OF PROPOSED AMENDMENT(S)

Status System (e.g., terminal rental, telephone line costs).

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 600.80 Access by Report Subscription Users

Based on a calendar year subscription fee established annually by the System, the general public may subscribe to receive reports prepared periodically from the Bill-Status-System computer data. The subscription fee shall be based on the costs of printing, postage and other materials handling necessary for the distribution of the reports.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 600.85 Copies of the Administrative Code Data Base Repealed

- a) Bill-Status-System shall make available copies of the Bill-Status-System Administrative Code at no charge to the Governor, the Secretary of State, the General Assembly and its committees and commissions, the Joint Committee on Administrative Rules, agencies of the State Government, and the Cook County Law Library. One copy of a Bill-Status-System title will be provided to state agencies free of charge. Additional copies will be provided at the charge determined under subsection (e) of this Section.
- b) Bill-Status-System shall make available copies of the Bill-Status-System Administrative Code at a cost determined under subsection (e) of this Section to all other entities or individuals.
- c) The cost for each title shall be determined by the actual cost of the material plus the average hourly cost of labor divided by the number of copies produced plus 10% for indirect overhead and plus the cost of mailing the title. The cost for each title shall be determined by the Director and shall be posted in the Bill-Status-System office. Information can be obtained by calling Bill-Status-System at 217/782-3944.

(Source: Repealed at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 600.90 Billing and Collection of User Fees

- a) LIS shall provide access to the Bill-Status-System computer data based on the completion of the Standard Contract for Access to the System and the payment of the annual fee set by the System. The fee shall be based on a calendar year and may be prorated by the System.
- b) The Report Subscription Service fee shall be based on a calendar year and may be prorated by the System.
- c) Failure of a subscriber to reimburse LIS within 90 days of the billing date will result in the termination of service, unless an extension is appropriate.

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- d) If a monthly charge based on usage is applied the charges will be billed monthly by LIS.
- e) The amounts collected shall be paid to the State Treasury for deposit in the State Treasury.

(Source: Amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

ILLINOIS REGISTER

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Minimum Standards for Certification of Developmental Training Programs

- 2) Code Citation: 59 Ill. Adm. Code 119

- 3) Section Numbers:

Proposed Action:

119.100 New Section  
119.110, 119.120 New Section  
119.200 New Section  
119.205 New Section  
119.210 New Section  
119.215 New Section  
119.220 New Section  
119.225 New Section  
119.230 New Section  
119.235 New Section  
119.240 New Section  
119.245 New Section  
119.250 New Section  
119.255 New Section  
119.260 New Section  
119.300 New Section  
119.305 New Section  
119.310 New Section  
119.315 New Section  
119.320 New Section  
119.325 New Section  
119.330 New Section  
119.335 New Section

- 4) Statutory Authority: Implementing and authorized by Ill. Rev. Stat. 1987, ch. 91 1/2, par. 100-15.2.

- 5) A Complete Description of the Subjects and Issues Involved:

Part 119 contains the program standards for developmental training programs for developmentally disabled adults who reside in Medicaid licensed long-term care facilities or other residential settings. The Department of Mental Health and Developmental Disabilities and Department of Public Aid have a collective role in the oversight, monitoring and funding of developmental training programs.



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The Department will certify developmental training programs on an annual basis contingent on providing evidence of compliance with 42 CFR 430 et seq., 1988, with no later editions or amendments, 42 U.S.C.A. 1396 et seq., 1983, 89 Ill. Adm. Code 140 (Medical Payment), local ordinances and this Part.

These proposed rules replace the Department's proposed rules Part 119 (59 Ill. Adm. Code) (13 Ill. Reg. 13377, August 25, 1989) which are being withdrawn on page \_\_\_\_\_ of this issue of the Illinois Register.

6) Will these proposed rules replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed rules contain incorporations by reference? Yes. These rules contain incorporations by reference in accordance with Section 6.02(a) of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1006.02(a)).

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act (Ill. Rev. Stat. 1987, ch. 85, par. 2201 et seq.)

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to: Rules Administrator, Illinois Department of Mental Health and Developmental Disabilities, 400 Stratton Building, Springfield, IL 62706, telephone (217)785-3313.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: February 23, 1990

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B) Types of small businesses affected:

Community agencies and programs which provide adult day training services.

C) Reporting, bookkeeping or other procedures required for compliance:

Developmental training service recipients not residing in Medicaid-eligible licensed long term care facilities will be reimbursed privately, under Title XIX waiver or under the Department's grant-in-aid system.

Agencies providing grant-in-aid and Medicaid waiver-funded developmental training programs shall file an annual audit report to the Department as required in 59 Ill. Adm. Code 103.120.

D) Types of professional skills necessary for compliance:

Developmental training programs must provide for professional, administrative, and support staff in sufficient numbers and types to assess and address the needs of clients, including a qualified mental retardation professional(s) QMRP (i.e., registered nurses, occupational, activity, physical and recreational therapists, psychologists, social workers, speech pathologists, audiologists, physicians, etc.)

The full text of the Proposed Rules begins on the next page:

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TITLE 59: MENTAL HEALTH  
CHAPTER I: DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIESPART 119  
MINIMUM STANDARDS FOR CERTIFICATION  
OF DEVELOPMENTAL TRAINING PROGRAMS

## SUBPART A: GENERAL PROVISIONS

Section  
119.100  
119.110  
119.120Applicability  
Incorporation by reference  
Definitions

## SUBPART B: PROGRAM REQUIREMENTS

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119.260General requirements  
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Exclusion, suspension or discharge of an individual  
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Special training procedures  
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## SUBPART C: CERTIFICATION REQUIREMENTS

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119.335Issuing a certificate and period of certification  
Application for certification  
Application acceptance and verification  
Non-transferability of a certificate  
Cessation of operations  
Certificate denial  
Hearings  
Certification capacity

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AUTHORITY: Implementing and authorized by Section 100-15.2 of "AN ACT codifying the powers and duties of the Department of Mental Health and Developmental Disabilities" (Ill. Rev. Stat. 1987, ch. 91½, par. 100-15.2).

SOURCE: Adopted at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: Bold-face type denotes statutory language.

## SUBPART A: GENERAL PROVISIONS

## Section 119.100 Applicability

a) Developmental training programs shall prepare adults 18 years of age or older who are developmentally disabled to live and function in integrated social settings.

b) Developmental training programs shall serve adults with developmental disabilities and major functional skill deficits to promote independence in daily living and economic self-sufficiency.

c) This Part applies to all providers subject to Department certification of their developmental training programs.

## Section 119.110 Incorporation by reference

Any rules of an agency of the United States or of a nationally-recognized organization or association that are incorporated by reference in this Part are incorporated as of the date specified, and do not include any later amendments or editions.

## Section 119.120 Definitions

For the purposes of this Part, the following terms are defined:

"Abuse." Any physical injury, sexual abuse or mental injury inflicted on an individual other than by accidental means. (Section 1-101.1 of the Code) (Ill. Rev. Stat. 1987 as amended by P.A. 86-1013, effective January 3, 1990)).

"Accreditation." A process establishing that a program complies with nationally-recognized standards of care as set by one of the following:

Standards for Services for People with Developmental Disabilities (Accreditation Council for Services for Developmentally Disabled Persons (ACDD), 1987);

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Standards Manual for Organizations Serving People with Disabilities (Commission on Accreditation of Rehabilitation Facilities (CARF), 1989);

Consolidated Standards Manual (Joint Commission on Accreditation of Healthcare Organizations (JCAHO), July 1, 1989); or

Programs for Multi-Handicapped Students (National Accrediting Council for Agencies Serving the Blind & Visually Handicapped, 1979).

"Act." The Mental Health and Developmental Disabilities Confidentiality Act (Ill. Rev. Stat. 1987, ch. 91½, par. 801 et seq.)

"Adaptive behavior." The effectiveness or degree to which the individual meets the standards of personal independence and social responsibility expected of the individual's age and cultural group.

"Authorized agency representative." A person appointed by the governing body who has responsibility for the program's administration including its content and fiscal affairs.

"Aversive procedures." The application of unpleasant or painful stimuli or stimuli that have a potentially noxious affect, contingent on the exhibition of a specific behavior that is not adaptive.

"Behavior management." Efforts to increase socially adaptive behaviors and to modify problem behaviors or behaviors that are not adaptive and replace them with behaviors and skills that are adaptive and socially productive.

"Bureau." The Department's Bureau of Certification and Licensure.

"Code." The Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1987, ch. 91½, par. 1-100 et seq.)

"Day." A calendar day, unless otherwise indicated.

"Department." The Department of Mental Health and Developmental Disabilities.

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"Developmental disability." A disability which is attributable to mental retardation, cerebral palsy, epilepsy or autism; or to any other condition which results in an impairment similar to that caused by mental retardation and which requires services similar to those required by mentally retarded individuals. Such disability must originate before the age of 18, be expected to continue indefinitely, and constitute a substantial handicap. (Section 1-106 of the Code).

"Director." The Director of the Department.

"Discharge." The full release of an individual from a program.

"Equivalency." Evidence to substantiate compliance with requirements of this Part by means other than indicated in this Part.

"Exclusion." Preventing an individual's entrance or continuation in a program due to the individual's disability, medical condition, or maladaptive behavior, or due to lack of space in the program.

"Family." The individual's spouse, children, mother, father, sister and brother.

"Full compliance." A survey finding that a program has no identified deficiencies with the standards in this Part.

"Governing body." The provider's authority which establishes policies for the program's operation and the welfare of the individuals served.

"Guardian." The plenary or limited guardian or conservator appointed by the court for an individual over age 18 so long as the limited guardian's duties encompass concerns related to service requirements.

"Imminent risk." When individuals who are being served by a program are or may be subject to mental, physical or psychological harm which is not immediately correctable.

"Individual." A person who is applying for or receiving services in a program.

"Individual services plan" or "plan." A written plan which includes an assessment of the individual's strengths and needs, a



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description of the services needed regardless of availability, objectives for each service, the role of the individual, guardian, significant others, and the family in the implementation, if the individual agrees to their participation. The plan shall also include a timetable for the accomplishment of objectives, and the names of the persons responsible for their implementation.

"Individual record" or "record." Materials kept chronologically by a program in the course of providing services to an individual.

"Industrial norm." A standard of measured productivity outcomes of a specific work activity as determined by a time and motion study conducted on workers who are not impaired for the work being performed by age, physical or mental disability, or injury.

"Informed consent." Permission freely granted by the individual or guardian for the release of information, for participation in the program services specified in the plan or for the use of a specific procedure in the individual's plan. Informed consent means full disclosure to the individual or guardian of the information required for him or her to make the decision intelligently.

"Interdisciplinary team" or "team." A group consisting of at least the individual, parents (except when a non-legally disabled individual or a legally disabled individual's guardian does not desire them to participate), the guardian, as well as representatives of disciplines and services necessary to identify the individual's needs and to design services and alternatives to meet them. At least one member of the team shall be a qualified mental retardation professional.

"Mental retardation." Significant subaverage general intellectual functioning which exists concurrently with impairment in adaptive behavior and which originates before the age of 18 years. (Section 1-116 of the Code)

"Moral turpitude." Moral quality of being inherently base, depraved, vile or wicked.

"Neglect." Failure to provide adequate medical or personal care or maintenance to an individual which results in physical or mental injury or in the deterioration of an individual's physical or mental condition. (Section 1-117.1 of the Code) (Ill. Rev. Stat. 1987, as amended by P.A. 86-1013, effective January 3, 1990).

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"Notice of violation." A report submitted by the Bureau to a provider listing the program's deficiencies with this Part as noted during a survey.

"Plan of correction." A written plan submitted by a provider to the Bureau in response to a notice of violation, which describes the steps the provider will take to bring the program into compliance, including the time-frames for completion of each step.

"Program." Services provided in non-residential facilities to adults who are developmentally disabled and require training in self-help, community living skills, social and leisure skills, communication or productive work.

"Progress notes." Narrative chronological documentation in an individual's record of service provided and its relationship to the plan.

"Provider." A sole proprietorship, association, partnership, corporation or organization, public or private, either for profit or not for profit, which operates a developmental training program under the jurisdiction of a governing body or board.

"Qualified mental retardation professional (QMRP)." A QMRP must have at least one year of experience working directly with individuals with mental retardation or other developmental disabilities and be one of the following:

A doctor of medicine or osteopathy licensed pursuant to the Medical Practice Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, par. 4400-1 et seq.);

A registered nurse licensed pursuant to The Illinois Nursing Act of 1987, (Ill. Rev. Stat. 1987, ch. 111, par. 3501 et seq.);

An occupational therapist or occupational therapist assistant certified by the American Occupational Therapy Association or other comparable body (Illinois Occupational Therapy Practice Act, Ill. Rev. Stat. 1987, ch. 111, par. 3701 et seq.);

A physical therapist certified by the American Physical Therapy Association or other comparable body (Illinois Physical Therapy Act, Ill. Rev. Stat., 1987, ch. 111, par. 4251 et seq.);

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A physical therapist assistant registered by the American Physical Therapy Association or a graduate of a two-year college-level program approved by the American Physical Therapy Association or comparable body;

A psychologist with at least a master's degree in psychology from an accredited school (Clinical Psychologist Licensing Act, Ill. Rev. Stat. 1988 Supp., ch. 111, par. 5351 et seq.);

A social worker with a bachelor's degree from a college or university or graduate degree from a school of social work accredited or approved by the Council on Social Work Education or another comparable body (The Clinical Social Work and Social Work Practice Act, Ill. Rev. Stat. 1988 Supp., ch. 111, par. 6351 et seq.);

A speech-language pathologist or audiologist with a certificate of Clinical Competence in Speech-Language Pathology or Audiology granted by the American Speech Language Hearing Association or comparable body or meet the education requirements for licensure and be in the process of accumulating the supervised experience required for licensure (The Illinois Speech-Language Pathology and Audiology Practice Act, Ill. Rev. Stat. 1988 Supp., ch. 111, par. 7901 et seq.);

A professional recreation staff person with a bachelor's degree in recreation or in a specialty area such as art, dance, music or physical therapy;

A professional dietitian registered by the American Dietetics Association; or

A human services professional with a bachelor's degree in a human services field, including, but not limited to sociology, special education, rehabilitation counseling and psychology.

"Quality assurance." A systematic and objective approach to monitoring and evaluating the appropriateness, adequacy and quality of services in order to identify and resolve problems.

"Restraint." The direct restriction through mechanical means or personal physical force of the limbs, head or body of an individual except as part of a medically prescribed procedure for the

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treatment of an existing physical disorder or the amelioration of a physical handicap. The partial or total immobilization of an individual for the purpose of performing a medical or surgical procedure shall not constitute restraint. (Section 1-125 of the Code)

"Seclusion." Sequestration by placement of an individual alone in a room from which he or she has no means of leaving. When an individual is placed in a behavior modification program pursuant to his or her individual integrated services plan, he or she may be restricted to a given area or room for a reasonable period of time and such restrictions shall not constitute seclusion. (Section 1-126 of the Code)

"Self-administration of medications." An individual's ability to take medications independently or with verbal prompts.

"Skills' training." Activities which focus on the development of daily living skills which enable individuals to achieve independent functioning and economic self-sufficiency.

"Substantial compliance." When a surveyed program does not have a deficiency or group of deficiencies that jeopardize the health, welfare or safety of individuals or prevent their maximum development; or, when deficient, the provider has documented a plan of correction to rectify any deficiency or has an approved equivalency or waiver for it.

"Survey." A process to determine the degree of compliance with this Part which a program has maintained. This includes surveyor observation and an on-site examination of policies, procedures, records of individuals, written plans, and the physical plant. Interviews of individuals and staff are also a part of the survey.

"Suspension" The conditional release of an individual from a program.

"Time-out." Contingent removal of an individual from a situation in which reinforcement occurs into a situation in which reinforcement does not occur.

"Waiver." Department-granted exceptions to this Part on application by a provider, for a period not to exceed the duration of the current certificate.

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"work activity." Skills training or any activity to prepare the individual for employment such as limited work experience, community integration skills, or socialization skills, so long as work or production is not the main purpose.

## SUBPART B: PROGRAM REQUIREMENTS

## Section 119.200 General requirements

- a) Programs shall be located to promote integration of individuals into their communities and neighborhoods.
- b) Programs shall provide a minimum of five hours of programming per day, excluding transportation time to and from the program, and excluding mealtime unless training during meals is an integral, documented part of the plan.

- c) Transportation required for individuals who are residents of Medicaid-eligible licensed long-term care facilities as defined in Section 1-113 of the Nursing Home Care Act (Ill. Rev. Stat. 1987 and 1988 Supp., ch. 111, par. 113) shall be the responsibility of the provider. Transportation shall be defined as the movement of these individuals to and from the Medicaid-eligible licensed long-term care facilities.

- d) Work activities shall not exceed 50 percent of the program day as determined over a two-week period.

- e) Programs shall not be located in buildings where individuals reside and where space is used for dining, recreation, physical care or other activities provided to individuals in residential facilities.

- f) Programs attended by individuals residing in licensed long-term care facilities shall promote the principles of program independence and community integration by meeting two of the following three criteria:

- 1) No more than 25 percent of the direct-care staff hours allocated to the program shall be provided by personnel also employed by a licensed long-term care facility in a residential service capacity;
- 2) At least 30 percent of the individuals in the program shall not reside in the same licensed long-term care facility; or

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- 3) The location of the program shall not be within or immediately adjacent to the boundaries of any licensed long-term care facility having individuals in the program.

- g) The Department may consider a waiver of the requirements in subsections (f)(1) and (f)(2) above for individuals of licensed long-term care facilities whose physicians have determined that participation in a program away from the residence will present a risk to the individuals' health. Physicians shall document and annually update this medical determination in the individuals' records.

## Section 119.205 Criteria for participation of individuals

- a) A minimum level of skill development shall not be required for entry into a program.

- b) The criteria for exit from the program shall be as follows:

- 1) The individual shall perform four or more skills described in subsections (e)(1) through (e)(7) below; and

- 2) The individual shall not engage in maladaptive behavior more than 5 percent of the developmental training day. Maladaptive behavior shall require staff intervention and shall be documented.

- c) Individuals who meet or exceed the exit criteria shall not enter a program.

- d) The team shall evaluate individuals who have attained the exit criteria to determine whether they should continue in the program, or if they should enter a program more integrated into the community such as supported employment. The team shall document why continuation is necessary.

- e) The team shall assess individuals on the following skills:

- 1) Motor development - The individual exhibits fine or gross motor skills independently or with minimal assistance. This is considered met if the individual meets the criteria for dressing, grooming, toilet or eating.
- 2) Dressing - The individual dresses self with verbal cues only.



- 3) Grooming - The individual grooms self with verbal cues only.
- 4) Toileting - The individual toilets with verbal cues only.
- 5) Eating - The individual eats a meal without cues from staff.
- 6) Language - The individual understands basic requests and expresses self verbally or with an alternative communication system such as signing, communication board, computer or writing.
- 7) Productive capacity - The individual consistently maintains a productive level of 25 percent of the industrial norm or when the team determines the individual is ready for placement in supported employment, regular work, or a similar vocationally-oriented experience.
- f) At least annually, the team shall reassess the individual's skill level and review the current placement to determine if it is meeting the individual's needs.
- g) The provider shall identify to the Department the names of all individuals who have attained skill levels which meet or exceed the exit criteria and whom the team has determined should exit the program. The Department shall assist the provider in identifying alternative services.

Section 119.210 Exclusion, suspension or discharge of an individual

- a) Exclusion, suspension or discharge may occur due to:
  - 1) The individual's desire to stop participation;
  - 2) The individual's attainment of the exit criteria;
  - 3) The individual's physical disability or medical condition which places the individual in danger;
  - 4) Maladaptive behavior that places the individual or others in serious danger; or
  - 5) Lack of space in the program.
- b) The provider shall refer all proposals excluding, suspending or discharging an individual to the team which shall determine the

- c) appropriateness of the referral, recommend alternative services and determine the criteria under which the individual may enter or re-enter the program.
- d) Before exclusion, suspension or discharge, the team shall discuss, summarize and place in the individual's record the date and reason for this action.
- e) A provider shall not exclude, suspend or discharge an individual from a program without at least a 21-day written notice to the individual or guardian except for medical conditions or maladaptive behavior that places the individual or others in serious danger.

Section 119.215 Program staff

- a) The provider shall designate a program administrator whose level of education and experience shall include an undergraduate degree in education, special education, psychology, rehabilitation counseling or social work, with two or more years' experience working with individuals who are developmentally disabled.
- b) The provider shall designate at least one developmental instructor whose minimum level of education and experience includes an undergraduate degree in special education or a related human service field, plus one or more years' experience working with individuals who are developmentally disabled or an equivalent combination of education and experience.
- c) The provider shall designate developmental trainers whose minimum level of education includes a high school diploma or general equivalency diploma (G.E.D.). A developmental trainer shall address the individual's needs as identified in the plan under the supervision of the developmental instructor.
  - 1) The program administrator may function as the developmental instructor.
  - 2) The program shall employ developmental instructors on an overall ratio of one developmental instructor to three developmental trainers.
  - 3) The developmental instructor shall perform instructional duties as well as supervise developmental trainers.
  - d) Staff ratios

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- 1) The provider shall maintain staff ratios that will meet the individual's program needs. The Department's calculation of provider cost is based on the following ratios, but the provider will be given flexibility in grouping individuals to meet the individual's needs.

A) For individuals who have mild deficits in adaptive behavior as defined in Classification in Mental Retardation (American Association on Mental Retardation, 1983) and who have physical disabilities, mental disabilities or behavior disorders preventing them from participating in programs more integrated into the community, the provider shall maintain on-duty trainers and instructors at a ratio of 1:10.

B) For individuals who have moderate deficits in adaptive behavior as defined in Classification in Mental Retardation and who have physical disabilities, mental disabilities or behavior disorders preventing them from participating in programs more integrated into the community, the provider shall maintain on-duty trainers and instructors at a ratio of 1:8.

C) For individuals who have severe or profound deficits in adaptive behavior, as defined in Classification in Mental Retardation and who have physical disabilities, mental disabilities or behavior disorders preventing them from participating in programs more integrated into the community, the provider shall maintain on-duty trainers and instructors at a ratio of 1:5.

D) The provider may request additional staff for individuals whom the team has assessed and who require one of the following levels:

- i) Level I. For individuals requiring and receiving staff assistance for the following specialized care: aids or appliances for visual or auditory deficits or both; aids, appliances or equipment for physical disabilities; indwelling catheterization; insulin injections for stabilized diabetics; cardiovascular or respiratory medications and multiple daily monitoring; incontinence

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care and assistance in personal care; seizure medication and monitoring of unstable condition; or a moderately serious level of maladaptive behavior as measured by the Inventory for Client and Agency Planning (ICAP) (DLM Teaching Resources, 1986);

ii) Level II. For individuals requiring and receiving staff assistance for the following specialized care: personal care and assistance with transfer and movement about the facility; insulin injections for diabetics who are not stabilized; ostomy care; or a serious level of maladaptive behavior as measured by the ICAP; or

iii) Level III. For individuals requiring and receiving staff assistance for the following specialized care: intermittent catheterization; wound care; respiratory care; tracheotomy care; tube feeding; or a very serious level of maladaptive behavior as measured by the ICAP.

- 2) During breaks and non-training lunch periods, supervision shall be provided at a level required to maintain the safety of the individual.

e) Each individual shall have a designated QMRP who shall:

- 1) Convene the team as required by Section 119.220 to develop or revise the plan;
- 2) Assure that the services specified in the plan are being provided;
- 3) Assure the participation of team members;
- 4) Identify and address gaps in the provision of service;
- 5) Monitor the individual's status in relation to the plan;
- 6) Advocate for the individual's rights and services;
- 7) Provide for a written record of team meetings; and

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- 8) Initiate and coordinate a meeting of the team as often as the plan specifies or when required by problems or changes.
- f) If the interdisciplinary team determines that services required to meet the individual's needs are not available in the developmental training program, the QMRP shall be responsible for linking the individual with the preadmission screening agent.

## Section 119.220 Interdisciplinary team (team)

- a) The provider shall assure that each individual has a single interdisciplinary team which shall be responsible for preparing, revising, documenting and implementing the plan in accordance with Section 119.230.
- b) The team shall provide for and invite the active participation of:
  - 1) The individual and his or her legal guardian or both;
  - 2) The persons who work most directly with the individual; and
  - 3) The professionals who assess the individual's strengths and needs (in accordance with Section 119.225), and design and evaluate the individual's program.
- c) At least one member of the team shall be a QMRP who shall provide services as specified in Section 119.215 and shall be responsible for convening the team.

## Section 119.225 Assessment of individuals

The provider shall assure that, at least annually, each individual receives assessments identified in subsection 119.205(e) and (f) that shall be documented in the individual's record and the results explained to the individual or guardian.

- a) The assessment shall determine the individual's strengths and needs, level of functioning, the presenting problem(s) and disability(s), diagnosis and the services the individual needs.
- b) The assessment shall be performed by staff trained in the use of the assessment instruments.
- c) Through the selection of the assessment instruments and the interpretation of results, all assessments shall be sensitive to the individual's:

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- 1) Racial, ethnic and cultural background;
- 2) Chronological and developmental age;
- 3) Visual and auditory impairments;
- 4) Language preferences; and
- 5) Degree of disability.
- d) Annual reassessments for individuals shall include the ICAP or the Scales of Independent Behavior (SIB) (DLM Teaching Resources, 1985).

## Section 119.230 Individual services plan (plan)

- a) When the individual enters a program, staff shall:
  - 1) Document in the record those services being provided to the individual until a plan is developed; and
  - 2) Explain to the individual all rights stated in Section 119.235, and provide the individual with a copy of those rights. This shall be documented in the individual's record.
- b) Within 30 days after an individual's entry into the program, a plan shall be developed that states goals and objectives for developmental training that:
  - 1) Is based on the assessment results;
  - 2) Reflects the individual's or guardian's preferences;
  - 3) Identifies services and supports to be provided and by whom; and
  - 4) Has objectives that:
    - A) Are measurable;
    - B) Have timeframes for completion; and
    - C) Have a person assigned responsibility.



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- c) The plan shall include the names and titles of all staff and other persons contributing to the plan.
- d) The plan shall be signed by the QMRP and the individual or guardian.
- e) The individual or guardian shall be offered a copy of the plan.
- f) The plan shall become a part of the individual's record.
- g) At least monthly, the QMRP shall review the plan and document in the record that:
  - 1) Services are being implemented; and
  - 2) Services identified in the plan continue to meet the individual's needs or require modification or change to better meet the individual's needs.
- h) The team shall review the plan, at least annually, and shall note the status of the individual including any progress or regression which might require modification to the plan.

## Section 119.235 Individual rights and confidentiality

To insure that the individual's rights are protected and that all services provided to the individual comply with the laws cited in subsections (a) and (b) below, providers shall assure that:

- a) The individual's rights are protected in accordance with Chapter 2 of the Code, except that the use of seclusion shall not be permitted.
- b) The individual's right to confidentiality is in accordance with the Act.
- c) There is documentation in the record that staff have advised the individual of his or her rights, provided justification for any restriction of the individual's rights or assisted in contacting the Guardianship and Advocacy Commission.
- d) Providers have procedures that permit the individual or guardian to present grievances and to appeal adverse decisions up to and including the authorized agency representative.

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- e) The individual is not excluded, suspended or discharged from services and services are not reduced for exercising any of his or her rights.

## Section 119.240 Special training procedures

- a) The provider shall govern the use of all special training procedures used to modify behaviors that the team determines to be a problem or maladaptive.
- b) The program shall prohibit corporal punishment, seclusion, abuse and neglect of individuals.
- c) To maximize the individual's growth, development and independence, the program shall use positive reinforcement in keeping with the individual's developmental level and learning, emotional, and environmental needs.
- d) The plan of an individual who exhibits maladaptive behavior shall include provisions to train the individual in the circumstances, if any, under which the behavior can be exhibited adaptively, or how to channel the behavior into similar but adaptive expressions, or how to replace the maladaptive behavior with adaptive behavior.
- e) Emergency procedures used to prevent individuals from harming themselves or others shall not be repeated more than three times within a six-month period without being incorporated into a written positive behavior management plan by the team.
- f) Aversive conditioning shall not be used on an emergency basis.
- g) A physician or dentist shall document in the individual's record when physical restraints or medications are used to control an individual's behavior during a medical or dental procedure and document that the behavior could not otherwise be controlled in accordance with Section 2-108 of the Code.
- h) Whenever physical restraint, medications to manage behavior, time out rooms, aversive conditioning or other procedures with similar degrees of restriction or intrusion are used to manage maladaptive behavior:
  - 1) The team shall determine and document in the record that the harmful effects of the behavior clearly outweigh all of the potentially harmful effects of the procedure;

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- 2) The procedure shall be an integral part of the plan which will lead to a less restrictive way to manage, and ultimately eliminate the behavior;
- 3) The record shall document that informed consent was obtained; and
- 4) The program's behavior management committee and human rights committee shall review and approve the procedure in accordance with Section 119.245.
- i) The behavior management committee and human rights committee shall review and approve proposed special training procedures that call for concurrent administration of more than one medication to manage an individual's behavior. Medications so ordered shall be accompanied by a physician's progress note substantiating that use of the medication is justified, is within a therapeutic dosage range, and will not adversely affect the therapeutic benefits of other medications.
- j) Programs using restraints in any special training procedure shall comply with Section 2-108 of the Code.
- k) The use of time-out rooms shall be in accordance with 42 CFR 483, 1988 (Conditions of Participation for Long Term Care Facilities.)
- 1) The team shall implement aversive conditioning programs only when:
  - 1) The individual's behavior is likely to cause severe harm to the individual or others;
  - 2) Positive procedures used within the past six months have been documented to be ineffective in reducing or eliminating this particular behavior;
  - 3) Both the human rights committee and the behavior management committee have approved the program prior to implementation; and
  - 4) The authorized agency representative has given written approval.
- m) Any approval by the program's human rights and behavior management committees and authorized agency representative of an individual's

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written aversive conditioning program shall expire in 30 days. The program shall not continue beyond that time unless it is reviewed and approved by both committees and the authorized agency representative.

## Section 119.245 Committees

- a) A program shall have a human rights committee whose members include individuals or their representatives.
  - 1) Not more than half of the members shall be program employees.
  - 2) At least one member of the committee shall be experienced with issues and decisions regarding human rights.
  - 3) The committee shall review program policies, procedures and practices which restrict an individual's rights.
  - 4) The program shall inform the committee of any complaints involving individuals' rights, violations and any corrective actions.
- b) A program which uses special training procedures as specified in Section 119.240 for managing behavior shall establish a behavior management committee.
  - 1) Members shall include persons qualified to evaluate published behavior management studies and the technical adequacy of proposed behavior management interventions.
  - 2) When drugs to manage behavior are used, a professional qualified to evaluate their use, such as a physician or pharmacist, shall be a member of the committee.
- c) The human rights committee and behavior management committee shall:
  - 1) Approve special training procedures prior to their implementation and review those procedures at least every three months except aversive conditioning procedures which shall be reviewed and approved at least every 30 days;
  - 2) Maintain minutes, including attendance and decisions made; and
  - 3) Have at least five members.

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## Section 119.250 Medications and medical care

- a) If prescription medications are taken by individuals while attending a program, either the individual shall be self-medicating or the provider shall ensure that the medications are administered by personnel licensed to administer them, i.e., a physician pursuant to the Medical Practice Act of 1987 or a registered or licensed practical nurse pursuant to The Illinois Nursing Act of 1987.
- b) Programs shall provide an area suitable for care of individuals who become ill.
- c) First aid kits shall be available and monitored quarterly by provider staff.

## Section 119.255 Environmental management

- a) Buildings used by the provider for the program shall:
  - 1) Conform with Chapters 28, 29, and 31 (specifically Sections 31-1.1 through 31-1.6 of Chapter 31) of the NFPA 101, Life Safety Code (National Fire Protection Association, 1988) (Storage buildings of less than 200 square feet of floor area are exempt from compliance with Chapter 29);
  - 2) Conform with The Environmental Barriers Act, (Ill. Rev. Stat., 1987, ch. 1114, pars. 3711 et seq.) and 77 Ill. Adm. Code 400 (Illinois Accessibility Code);
  - 3) Have a normal temperature and humidity comfort range; and
  - 4) Have a written preventive maintenance program.
- b) Toilets and bathrooms shall provide privacy and be located and equipped to facilitate accessibility and independence. When needed by the individual, special assistance or devices shall be provided.
- c) The provider shall maintain copies of inspections performed by local and state inspectors in regard to health, sanitation and environment.
- d) The provider shall develop, implement and maintain a disaster preparedness plan which shall be reviewed annually, revised as necessary, and ensure that:

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- 1) Records and reports of fire and disaster training are maintained;
  - 2) A record of actions taken to correct noted deficiencies in disaster drills or inspections is maintained;
  - 3) Staff know how to react to fire, severe weather, missing persons, medical emergencies, poison control and deaths;
  - 4) Individuals can react to fire and severe weather emergencies or they are receiving training;
  - 5) Staff and individuals can locate fire-fighting equipment, first aid kits, evacuation routes and procedures; and
  - 6) A telephone is available with a list of the telephone numbers of the nearest poison control center, the police, the fire department and emergency medical personnel.
- e) The provider shall have procedures for evacuation which ensure that:
    - 1) Evacuation drills are conducted at a frequency determined by the provider based on the needs and abilities of the individuals served;
    - 2) Evacuation drills occur at least annually;
    - 3) Special provisions are made for those individuals who cannot evacuate the building without assistance, including those with physical disabilities and individuals who are deaf and/or blind;
    - 4) All personnel are trained to carry out their assigned evacuation tasks;
    - 5) Corrective action is taken when inefficiency or problems are identified during an evacuation drill; and
    - 6) Drills include actual evacuation of individuals to safe areas.

## Section 119.260 Administrative requirements

- a) Governing body



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- 1) Each program which is owned or operated by any corporation, association, or unit of local government shall have a governing body in which is vested authority and responsibility for the organization, management, control and operation of the program in compliance with the General Not For Profit Corporation Act of 1986 (Ill. Rev. Stat. 1987, ch. 32, par. 101.01 et seq.), and with 59 Ill. Adm. Code 103 (Grants).
  - 2) The names and addresses of all owners or controlling parties (whether they are a sole proprietorship, association, partnership, corporation, or subdivisions of other bodies, such as public agencies or religious, fraternal or other charitable organizations) shall be fully disclosed and provided to the Department annually. For corporations, the names and addresses of all officers, directors, and principal stockholders, either beneficial or of record, shall be disclosed.
  - 3) The governing body shall include persons who have no direct or indirect financial interest in the program and who reside in the geographic area served by the program and include representatives of the community, consumers and consumer representatives.
  - 4) The governing body shall be notified of the Department's annual survey and other inspections which indicate the outcome and disposition of any findings resulting from a survey.
- b) Advisory board
- 1) A program which is owned or operated by a sole proprietor or partnership shall appoint and maintain an advisory board whose members shall be persons who have no direct or indirect financial interest in the program, and who reside in the geographic area served by the program, and who include representatives of the community, consumers and consumer representatives.
  - 2) The advisory board shall ensure that each program owned or operated by a sole proprietor or partnership shall have a charter, mission statement, goals and objectives.
- c) Authorized agency representative

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- The provider shall appoint an authorized agency representative whose qualifications and duties are defined in writing and include authority for program administration and management. His or her performance shall be reviewed and documented annually.
- d) Provider policy requirements
- 1) The program shall have written policies which shall be reviewed annually and revised as necessary by the governing body or advisory board and shall describe:
    - A) Goals and objectives reflecting annual and long-range plans;
    - B) The services provided in response to individual and community needs;
    - C) The population served, including age groups, disabilities and the geographic service area;
    - D) The hours and days of operation;
    - E) The methods used to perform initial screening and assessment of individuals;
    - F) A description of processes used for development of the services plan;
    - G) The use and approval of special training procedures such time-out, restraint and aversive techniques;
    - H) Procedures for handling emergencies and disasters; and
    - I) Procedures for maintenance of buildings, vehicles and equipment.
  - 2) Program policy shall ensure the availability of professional, administrative and support staff to assess and address the needs of individuals. This includes personnel and consultants who can communicate, either verbally or non-verbally, with individuals.
  - 3) Program policy shall ensure that Department-authorized consumer-interest groups shall be permitted to visit a program.

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## e) Personnel requirements

- 1) Programs shall not discriminate in the hiring or employment of staff on the basis of race, color, age, national origin, sex, religion, or handicap.
- 2) Personnel policies and procedures shall be in writing and available for review.
- 3) The program shall have written job descriptions or contractual agreements for every position, including consultant and direct-service volunteer positions, which list the job title, duties and responsibilities, minimum experience and educational requirements, immediate supervisor and subordinates.
- 4) Staff shall be licensed, registered or certified by the State, if required.
- 5) When paraprofessional or untrained staff are used in direct services, they shall be supervised by professional staff.
- 6) A pay plan for all position titles in use shall be available.

## f) Staff and volunteer training

- 1) Training for direct service and professional staff shall be provided in the following areas:
  - A) Cardiopulmonary resuscitation (CPR), Heimlich maneuver and first aid;
  - B) Behavior management;
  - C) Normalization;
  - D) Age and cultural appropriateness;
  - E) Safety, fire, and disaster procedures including:
    - i) Use of fire-fighting equipment; and
    - ii) Familiarity with the disaster preparedness plan.

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- F) Abuse, neglect, unusual incidents (see subsection (h) below), prevention, handling and reporting;
  - G) Individual rights in accordance with Chapter 2 of the Code and maintaining confidentiality in accordance with the Act;
  - H) Team planning;
  - I) Infection control and sanitation; and
  - J) Food preparation and handling for staff who prepare and serve food to individuals.
- 2) Training for volunteers shall be provided in the areas discussed in subsections (1)(A), (1)(E), (1)(F) and (1)(G) above.
- g) Quality assurance
- 1) There shall be a written quality assurance plan and ongoing activities designed to review and evaluate services to individuals, operation of programs and to resolve identified problems.
  - 2) The scope of quality assurance shall include reviewing semi-annually, or more frequently if problems are identified, at least the following:
    - A) Service planning;
    - B) The use of special training procedures including behavior management procedures;
    - C) Unusual incidents relative to services to individuals;
    - D) Service utilization;
    - E) Individuals' records ensuring that they meet the requirements of this Part;
    - F) Subcontracted services to ensure that the needs of individuals are being met; and
    - G) The status of individuals receiving service.

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- 3) Records of quality assurance reviews and activities shall be filed separately from the records of individuals.

## h) Unusual incidents

- 1) The provider shall ensure that staff can respond to unusual incidents and shall have written policies and procedures for such incidents, including but not limited to:

- A) Rape or sexual assault;
- B) Abuse or neglect;
- C) Death;
- D) Serious injury;
- E) Assault;
- F) Missing individuals;
- G) Theft; and
- H) Criminal conduct.

- 2) Within 24 hours of becoming aware of an incident, the provider shall report to local law enforcement agencies any incident which is subject to the Criminal Code of 1961. (Ill. Rev. Stat. 1987, ch. 38, par. 1-1 et seq.)

- 3) The provider shall report instances of abuse or neglect of individuals to the Department of Public Health as required by the Abused and Neglected Residents of Long Term Care Facilities Reporting Act (Ill. Rev. Stat. 1987, ch. 111, par. 4161 et seq.) and such reports shall be investigated in accordance with the provisions of that Act.

## i) Individual's record (record)

- 1) The program shall ensure the confidentiality of an individual's record in accordance with the Act and shall ensure safekeeping of all records against loss or destruction.

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- 2) The program shall maintain a chronological record for each individual. Records shall be located at a site, designated by the program, that is accessible and convenient to staff contributing to the plan.

- A) Each entry shall be legible, dated and authenticated by the signature and title of the person making the entry.
- B) Corrections shall be initialed and made in such a way as to leave the original incorrect entry legible.
- C) When symbols or abbreviations are used, the program shall provide a legend, standardized throughout the program, to explain them.

- 3) The following information shall be obtained and recorded when an individual enters a program, and shall be updated as necessary:

- A) Identifying information including name, date of birth, sex, race, social security number and legal status;
- B) The name, address and telephone number of the guardian or the person to be notified in case of an emergency;
- C) The language spoken or understood by the individual including, in the case of a hearing impaired or non-verbal individual, the individual's preferred mode of communication, e.g., American sign language, signed English, aural, oral or tactile communications device;
- D) Prescribed medications, allergies to foods, other medications and substances;
- E) Physical and dental examinations and medical history;
- F) Consent to receive emergency medical services; and
- G) Copies of the authorization for release of information.

- 4) The following shall be entered in the individual's record during the period of service:

- A) Prior service history;



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- B) Initial assessments and plan and the most recent assessments and plan;
  - C) Documentation of approval and their results when special training procedures are used such as time-out, restraint and aversive procedures; and
  - D) Chronological progress notes, at least monthly, documenting the individual's involvement in and response to the plan.
- j) Financial and operational requirements
- Programs shall comply with 59 Ill. Adm. Code 103 (Grants).

## SUBPART C: CERTIFICATION REQUIREMENTS

## Section 119.300 Issuing a certificate and period of certification

- a) The Department shall issue a certificate after receipt of a completed application, including the authorized agency representative's signature and the date, and after verifying the provider's compliance with this Part.
- b) The Department shall survey providers and their certified programs. The Department shall review the provision of services, observe individuals and staff, and inspect the records or premises or both, as it deems appropriate for the purpose of determining compliance with this Part.
- c) The Department shall survey providers to determine their compliance with this Part at the time of initial certification or certificate renewal.
- d) If a provider requests a waiver of any standard in this Part, it shall present to the Department a plan of correction to comply with the required standard, including a timetable for compliance and its rationale for the waiver request. Standards shall not be waived when a threat is posed to the individual's health and safety.
- e) If a provider requests an equivalency for any standard in this Part, it shall present a written description to the Department of the equivalency containing specific reference as to how the equivalency meets the standard. An equivalency shall not be granted when a threat is posed to the individual's health and safety.

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- f) A certificate shall be valid for one year unless denied by the Department.

## Section 119.305 Application for certification

## a) Forms

Providers shall obtain application forms by writing to: Department of Mental Health and Developmental Disabilities, 100 West Randolph Street, Suite 6-400, Chicago, IL 60601, Attention: Bureau of Certification and Licensure.

## b) Certification renewal

- 1) Each certified provider shall submit a renewal application at least 120 days before expiration of the certification.
- 2) At the request of a provider, the Department shall waive certification renewal requirements in this Part for accredited programs at the point of certification renewal.
- 3) A provider accredited under subsection (2) above shall submit the current accreditation report along with the application for certification renewal. If a provider fails or refuses to submit its most recent accreditation report along with its applications, the Department shall not waive any certification requirement.
- 4) Prior to recertification, the Bureau shall survey a provider that is not accredited under subsection (2) above and an accredited provider which did not request a waiver of the survey requirement.
- 5) The Department shall recertify a provider in compliance with this Part for an additional one-year period.
- 6) When the Department does not approve a provider for recertification, the Department shall notify the provider, in writing, within 30 days of the decision.
- 7) The notice shall include a clear and concise statement of the violation on which the determination is based and notice of the opportunity for a hearing in accordance with Section 119.330.

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8) The Department shall consider approving applications for the development and certification of new providers when the following conditions are presented to the Department and verified:

- A) The provider shall not force:
- i) The provision of a service or residential setting on an individual or guardian which does not meet the individual's needs and desires; or
  - ii) Residential relocation of individuals away from participating relatives.
- B) The provider demonstrates through letters of support or working agreements, a willingness to work cooperatively in coordinating services with residential service providers in the geographic area where services are provided; and
- C) Individuals shall be identified and assessed to be in need of developmental training.

Section 119.310 Application acceptance and verification

- a) Applications for certification shall be deemed received by the Department on the postmarked date.
- b) The Department shall notify a provider of any error or omission made on the application within 30 days. If the provider fails to respond to the notice within 30 days, the Department shall terminate the application process and notify the provider within 30 days.
- c) The Department shall either approve or disapprove the application within 90 days of its receipt.
- d) The Department may verify information supplied in applications.

Section 119.315 Non-transferability of a certificate

- a) A certificate is not assignable or transferable.
- b) Change in ownership or discontinuation of operations causes the certificate to be void.

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c) Certification documents and all copies shall remain Department property and shall be returned by the provider within 10 days after notifying the Department of a change in ownership.

Section 119.320 Cessation of operations

a) When a provider decides to terminate operation of a program, it shall notify the following of its decision at least 60 days in advance of termination:

- 1) The Department;
  - 2) Individuals who must be transferred or discharged;
  - 3) The individual's guardian and members of the individual's family, when applicable;
  - 4) Contractual staff; and
  - 5) Subcontractors working with affected individuals.
- b) The notice shall state the proposed date and reason for the program's termination.
- c) The provider shall advise individuals on available alternatives and shall assist them in securing alternative services.
- d) After termination of a program, the Department shall assure that an alternate provider receives funding for those individuals who were in the terminated program.

Section 119.325 Certificate denial

- a) The Department may deny certification at any time if the provider:
  - 1) Fails to maintain full compliance with standards identified in:
    - A) Sections 119.235 (a) through (g);
    - B) Sections 119.240 (a), (a)(1), (a)(2), (h), (h)(4);
    - C) Sections 119.250 (a), (b); and

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- D) Sections 119.255 (a)(1) through (a)(4), (b)(1), (b)(2), (d), (e)(1), (e)(3), (e)(5), (e)(6), (f)(1) through (f)(c) and (g).
- 2) Fails to maintain substantial compliance with all standards in this Part other than those identified in subsection (a)(1) above;
- 3) Fails to submit a plan of correction acceptable to the Department for any violations resulting from an on-site survey by the Department within 30 days of receipt of the notice of violation;
- 4) Submits false information either on Department forms, plan(s) of correction or during an on-site survey;
- 5) Refuses to permit or participate in a scheduled or unscheduled survey; or
- 6) Willfully violates any rights of individuals being served as identified in Chapter 2 of the Code or in the Act.
- b) The Department may refuse to certify a program or may deny a certificate if the owner, authorized agency representative or certificate holder has been convicted of a felony, or a misdemeanor involving moral turpitude, as shown by a certified copy of the court of conviction.
- c) If the Department determines that individuals are at imminent risk which has not or can not be corrected, it shall immediately close the affected program, plan for the immediate removal of all individuals and deny the certificate of the provider. The affected program shall not operate and shall not receive Department funding during the period of any appeal.
- d) If a provider contests the Department's certification decision pursuant to subsections (a), (b) or (c) above, it may request a hearing in accordance with Section 119.330, by providing written notice. The Department shall notify the provider of the time and place of the hearing not less than 14 days before the hearing date.
- e) If the provider does not provide written notice, the Department shall deny the certificate.

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- f) The Department shall immediately notify the Department of Public Aid of the decertification of any provider.
- Section 119.330 Hearings**
- a) The Department may not deny or suspend a certificate unless the provider is given written notice of the grounds for the Department's action. Except when denial of a certificate is based on imminent risk as described in Section 119.325, the provider may operate and receive reimbursement for services during the period preceding the hearing, until such time as a final decision is made.
- 1) The provider may appeal the Department's proposed action within 15 days after receipt of the Department's written notice by making a written request to the Director for a hearing.
- 2) The Department shall give written notice of the time, place, and nature of the hearing to the provider not less than 14 days prior to the date of the hearing.
- 3) The hearing shall proceed and the notice shall be delivered in accordance with Section 10 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1010).
- 4) The Director may appoint a hearing examiner to preside at the administrative hearing.
- b) If the provider does not submit a request for a hearing or, if after conducting the hearing, the Department determines that the certificate should be denied, the Department shall issue an order to that effect within 30 days.
- c) If the Department's order is to deny the certificate, it shall specify that the order takes effect upon receipt by the provider that the program shall not operate during the pendency of any proceeding for judicial review of the Department's decision under the provisions of the Administrative Review Law (Ill. Rev. Stat. 1987, ch. 110, par. 3-101 et seq.), except under court order.
- Section 119.335 Certification capacity**
- a) A program subject to this Part shall be certified for a specific capacity mutually agreed on by the Department and the provider and in consideration of all state and local codes.



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- b) An increase in the certified capacity of a program requires Department approval prior to implementation. Expansion of a program and approval by the Department shall be based in all instances on the adequacy of the physical plant to accommodate the increased number of individuals and the program's ability to meet minimum standards for certification.

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- 1) The Heading of the Part: An Act in Relation to Oil, Gas and Other Surface and Underground Resources
- 2) Code Citation: 62 Ill. Adm. Code 240
- 3) Section Number:  
240.650 Proposed Action:  
240.655 Amend  
240.1160 New Section  
Repeal
- 4) Statutory Authority: Implemented and authorized by Section 6 and 8a of the Illinois Oil and Gas Act (Ill. Rev. Stat. 1988 Supp., Ch. 96 1/2, par. 5409 and 5413)
- 5) A complete description of the subjects and issues involved: Proposed Section 240.655 revises requirements for the mechanical integrity testing of Class II injection wells previously contained in subsection (d) of Section 240.650. Mechanical integrity testing is a requirement under the Safe Drinking Water Act (42 U.S.C. 300f, et seq.) implemented by the Department under Section 8a of the Illinois Oil and Gas Act. A complete description of the proposed mechanical integrity testing rule is as follows:

Subsection (a) requires that the permittee contact the well inspector at least 24 hours prior to setting or resetting a packer and that the setting of packer be reported on a form prescribed by the Department.

Subsection (b) requires the permittee to contact the well inspector to schedule a mechanical integrity test prior to initial injection. The requirement that the operator schedule the test eliminates a previous reporting requirement, allows the operator a maximum 15 day grace period to pressure up the zone and provides a basis for calculating the 15 day period.

Subsection (c) sets forth the six situations requiring a mechanical integrity test. The first four involve initial or resumed injection into a zone with the 15 day start-up period mentioned above. In addition, the proposed rule requires a mechanical integrity test when there is reason to believe the well may be leaking and at least once every five years from the date of the last successful test.

Subsection (d) establishes a five year program for the mechanical integrity testing of previously untested Class II injection wells.

Subsection (e) sets forth the requirements of the internal mechanical integrity test. The pressure test which will be

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required for most wells, has two components, a 300 PSIG differential between the tubing and annulus and a minimum test pressure of 300 PSIG. For wells unable to perform the pressure test due to well construction characteristics an alternative monitoring test is allowed subject to specified conditions.

Subsection (f) sets forth the requirements when a well fails the internal mechanical integrity test.

Subsection (g) sets forth the requirements for testing external mechanical integrity. The proposed rule establishes cementing requirements for previously existing Class II injection wells and for those permitted after the effective date of the rule. Subsection (g) also sets forth the various means through which external mechanical integrity may be demonstrated.

Subsection (h) sets forth requirements when a well fails the external mechanical integrity test.

Finally, the Department proposes to repeal Section 240.1160 which has allowed, under certain circumstances, the conversion of an oil and gas well to a water well. Since the transfer of regulatory authority over water wells from the Department of Mines and Minerals to the Department of Public Health, such conversions are not allowed and the rule is obsolete.

- 6) Will this proposed rule replace an emergency rule currently in effect?  
No
- 7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: The proposed amendments will have no impact on local units of government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:  
Written comments regarding this proposal should be sent to:

John C. Lynch, General Counsel  
Illinois Department of Mines and Minerals  
300 W. Jefferson, Suite 300  
P.O. Box 10137  
Springfield, IL 62791-0137

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Commenters must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues Involved. All comments are due at the above address no later than 5:00 p.m. on April 23, 1990. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on March 29, 1990 at 10 a.m. at the Ramada Inn, Effingham, Illinois. Representatives of small businesses are encouraged to comment about the impact of the proposed rulemaking at this public hearing.

## 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 27, 1990
- B) Types of small businesses affected: All Class II injection well operators employing less than fifty people and having less than four million dollars in annual sales.
- C) Reporting, bookkeeping or other procedures required for compliance: Small businesses are required to report the setting and resetting of packer on a Class II injection well, and are required-- where an permittee desires to use the alternative monitoring test--to make written application to the Department. In addition, the operator is required to conduct the tests specified in the rule, which, in the case of external mechanical integrity, requires production of cement records and/or other well construction records or reports.

- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page.

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## TITLE 62: MINING

## CHAPTER I: DEPARTMENT OF MINES AND MINERALS

## PART 240

AN ACT IN RELATION TO OIL, GAS AND OTHER  
SURFACE AND UNDERGROUND RESOURCES

## SUBPART A: GENERAL PROVISIONS

Section	Definitions
240.10	Prevention of Waste (Repealed)
240.20	Jurisdiction (Repealed)
240.30	Enforcement of Act (Repealed)
240.40	Delegation of Authority (Repealed)
240.50	Right of Inspection (Repealed)
240.60	Right of Access (Repealed)
240.70	Sworn Statements (Repealed)
240.80	Additional Reports (Repealed)
240.90	When Rules Become Effective (Repealed)
240.100	Notice of Rules (Repealed)
240.110	Forms (Repealed)
240.120	Hearings--Notices
240.130	Violations Not Requiring Formal Action
240.140	Notice of Violation
240.150	Director's Decision
240.160	Cessation Order
240.170	Enforcement Hearings
240.180	Temporary Relief
240.190	Subpoenas
240.195	

## SUBPART B: APPLICATION PROCEDURES AND PERMIT REQUIREMENTS

Section	General Provisions
240.210	Application for Permit to Drill, Deepen or Convert Well
240.220	Application for Permit for Geological or Structural Test Hole
240.230	Permits for Salt Water Disposal or for Gas, Air, Water, or other
240.240	Liquid Input Wells
240.250	Permit Requirements in Mine Areas
240.255	Underground Injection and Disposal Projects
240.260	Application for Approval of Enhanced Recovery Projects
240.270	Application for Approval of Enhanced Recovery Injection and
	Disposal Operations
240.280	Duration of Underground Injection Well Orders

## SUBPART C: TRANSFER OF OWNERSHIP AND BONDING

Section

## DEPARTMENT OF MINES AND MINERALS

## NOTICE OF PROPOSED AMENDMENTS

240.305	Transfer of Management
240.310	When Bonds Required--Amount
240.320	Kind of Bond--Execution
240.330	Bond of Manager
240.340	Bond Form--Approval
240.350	Surety May Cancel Bond
240.360	Mining Board May Cancel Bond
240.370	Casing Puller's Bond

## SUBPART D: SPACING OF WELLS

Section	General Spacing Rules
240.410	Secondary Recovery
240.420	Nonconforming Wells to be Plugged
240.430	

## SUBPART E: DRILLING AND CASING PROCEDURES

Section	Rotary Drilling Procedures
240.510	Cable Tool Drilling Rules
240.520	Slush and Mud Pits
240.530	

SUBPART F: PRODUCTION AND INJECTION WELL  
OPERATING REQUIREMENTS

Section	Return of Completion Card
240.610	Well Log to be Filed
240.620	Contents of Well Log
240.630	Collection of Drill Cuttings
240.640	Operating Requirements for Enhanced Recovery Injection and Disposal
240.650	Wells

Mechanical Integrity Testing for Class II Injection Wells  
Monitoring and Reporting Requirements for Enhanced Recovery  
Injection and Disposal Wells

## SUBPART G: WASTE PROHIBITED

Section	Avoidable Waste of Gas
240.710	Escape of Unburned Gas Prohibited
240.720	

## SUBPART H: PROTECTION OF WORKABLE COAL BEDS

Section	Introduction
240.805	Workable Coal Beds Defined
240.810	



## DEPARTMENT OF MINES AND MINERALS

## NOTICE OF PROPOSED AMENDMENTS

240.820 Mining Board may Determine Presence of Coal Seams  
240.830 Well Locations Prohibited  
240.840 Notice to Mining Board  
240.850 Casing and Protective Work  
240.860 Operational Requirements Over Active Mine

SUBPART I: GENERAL LEASE OPERATING REQUIREMENTS AND  
AVOIDANCE OF SURFACE POLLUTION

Section  
240.905 Introduction  
240.910 Disposal in Underground Stratum  
240.920 Disposal in Earthen Pits  
240.930 Pipes to be Kept in Repair  
240.940 Burn Off Pits  
240.950 Lease Tank Reservoirs  
240.960 Fire Hazards at Well Locations  
240.970 Mining Board Supervision  
240.980 Yearly Inspection--of Pits--Revocation of Permits--Orders for  
Corrective Action and Other Disposal  
240.990 Lease and Well Identification

## SUBPART J: VACUUM

Section  
240.1005 Requirements for Use of Vacuum Pumps  
240.1010 Application for Use of Vacuum  
240.1020 Notice and Hearing on Application  
240.1030 Mining Board Authority

## SUBPART K: PLUGGING OF WELLS

Section  
240.1105 Plugging of Non-Productive Wells  
240.1110 Mining Board Supervision  
240.1120 When Well to be Plugged  
240.1130 Prior Notice to Mining Board Representatives  
240.1140 Owner to Furnish Well Log  
240.1150 Plugging Methods and Procedures  
240.1160 Converting to Water Well (Repealed)  
240.1170 Restoration of Surface  
240.1180 Extension of Time to Plug Well  
240.1190 Filing Plugging Affidavit

## SUBPART L: VALIDITY OF RULES

Section  
240.1200 Severability

## DEPARTMENT OF MINES AND MINERALS

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## SUBPART M: OIL FIELD BRINE HAULING

Section  
240.1310 Authority, Policy and Purpose  
240.1320 Definitions  
240.1330 Oil Field Brine Haulers Permit  
240.1340 Applications for Brine Hauling Permit Shall Include the Following:  
240.1350 Applications for Oil Field Brine Hauling Permits--Signatures and  
Authorization  
240.1360 Oil Field Brine Hauling Permit Conditions  
240.1370 Inspection of Vehicles  
240.1380 Transfer of Permits  
240.1385 Revocation of Oil Field Brine Hauling Permit  
240.1390 Records and Reporting Requirements  
240.1395 Bonds--Blanket Surety Bond

AUTHORITY: Implementing and authorized by Sections 6 and 8a of "An Act in relation to oil, gas, coal and other surface and underground resources and to repeal an Act herein named" (Ill. Rev. Stat. 1985, ch. 96 1/2, pars. 5409 and 5413).

SOURCE: Adopted November 7, 1951; emergency amendment at 6 Ill. Reg. 903, effective January 15, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 5542, effective April 19, 1982; codified at 8 Ill. Reg. 2475; amended at 11 Ill. Reg. 2818, effective January 27, 1987, amended at 14 Ill. Reg. 2317, effective January 25, 1990, recodified at 14 Ill. Reg. 3053, amended at \_\_\_\_ Ill. Reg. \_\_\_\_\_. effective \_\_\_\_\_.

Section 240.650 Operating Requirements for Enhanced Recovery Injection and Disposal Wells

## a) Initial Requirements:

- 1) Each enhanced recovery injection well or disposal well shall be completed, equipped, operated and maintained in a manner that will prevent pollution of fresh water or damage to sources of oil or gas and will confine injected fluids to the interval or intervals approved.
- 2) Injection of any substance shall be through adequate tubing and packer. In addition, for every enhanced recovery injection well or disposal well, the operator shall provide a one-fourth (1/4) inch female fitting, with cut-off valve, to the tubing so that the amount of injection pressure being used may be measured by a representative of the Division of Oil and Gas by attaching a gauge having a one-fourth (1/4) inch male fitting.

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- 3) Before operating a new well drilled for enhanced recovery injection or disposal, the casing outside the tubing shall be tested under the supervision of a representative of the Division of Oil and Gas at a pressure not less than the maximum authorized injection pressure, or at a pressure of 300 psi, whichever is greater.
- 4) Before operating an existing well newly converted to enhanced recovery injection or disposal, the casing outside the tubing shall be tested under supervision of a representative of the Division of Oil and Gas at a pressure of 1000 psi or maximum authorized injection pressure, whichever is lesser, provided no testing pressure shall be less than 300 psi.
- 5) Notify the Division of any anticipated change in a project resulting in alteration of the conditions originally approved.
- 6) Use injection piping, valves and facilities that meet or exceed design standards for the maximum anticipated injection pressure and to maintain the equipment in a safe and leak-free condition.
- 7) Equip all injection wells, except steam, air and pipeline quality gas wells with tubing and a packer set immediately above the approved zone of injection.
- 8) Maintain data to show performance of the project to establish that no damage is occurring to life, health, property and natural resources. The data shall be available for periodic inspection by Division personnel.
- 9) Cease injection if there is evidence of damage or upon written notice of the Division.
- b) Additional requirements or modifications of the above requirements may be necessary to fit specific circumstances and types of projects. Some of the examples of such requirements are as follows:
  - 1) Injectivity tests.
  - 2) Graphs of oil, water and gas production vs. time.
  - 3) Graphs of tubing pressure, casing pressure and injection rate vs. time for each injection well.
  - 4) Isobaric maps of the injection zone, submitted annually.
  - 5) Notification of any change in waste disposal methods.

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- c) If the Division of Oil and Gas orders tests or remedial work that in its judgment are necessary to protect underground water, the owner or operator must, within thirty (30) days of the order, commence the work ordered and continue it until completion.
- d) Mechanical Integrity Pressure or Monitoring Test Requirements  
The following pressure or monitoring test must be performed on new and existing enhanced recovery injection wells and disposal wells to periodically establish the mechanical integrity of the tubing, casing and packer:
  - 1) Pressure Test  
The casing tubing annulus above the packer shall be tested not less than once each five years under the supervision of the Division of Oil and Gas at a pressure equal to maximum authorized injection pressure or at a pressure of 1000 psi, whichever is less, provided no testing pressure shall be less than 300 psi. Documentation of the test shall be submitted to the Division of Oil and Gas not so supervised or
  - 2) Monitoring Test  
In the event of casing pressure test required in (1) above, the operator shall monitor and record during actual injection the pressure in the casing tubing annulus monthly and to report the pressures annually.

(Source: Amended at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 240.655 Mechanical Integrity Testing for Class II Injection Wells

- a) The permittee must contact the well inspector for the county in which the well is located at least twenty-four (24) hours prior to the initial setting or any resetting of the packer in a Class II Injection Well to enable the inspector to be present when the packer is set. Setting of the packer must be reported on a form prescribed by the Department.
- b) The permittee must contact the well inspector for the county and schedule an internal mechanical integrity test prior to commencement of injection into:
  - 1) a newly permitted Class II Injection Well;
  - 2) a Class II Injection Well after change to a new, permitted injection zone;
  - 3) a Class II Injection Well after resetting or movement of the packer; and



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4) a Class II Injection Well after reactivation from temporary abandonment status.

c) An internal mechanical integrity test must be performed under the supervision of a well inspector:

1) within 15 days of initial injection into a newly permitted Class II Injection Well;

2) within 15 days of initial injection into a Class II Injection Well after a change to a new, permitted injection zone;

3) within 15 days prior to resuming injection into any Class II Injection Well after any work over of the well involving the resetting or movement of a packer;

4) within 15 days of initial injection into a Class II Injection Well after the well has been reactivated from temporary abandonment status;

5) whenever the Department has reason to believe, based upon field observation, that the Class II Injection Well may be leaking; and

6) at least once every five (5) years measured from the date of the last successful test.

d) All Class II Injection Wells not tested as of the effective date of this Section, shall be tested during the 5 years after the effective date. Each permittee shall conduct an internal mechanical integrity test on at least 20% of the permittee's total untested Class II Injection Wells each year.

e) Internal Mechanical Integrity (Part I):  
The following pressure test shall be performed on Class II Injection Wells to establish the internal mechanical integrity of the tubing, casing and packer of the well.

1) Pressure Test

The casing-tubing annulus above the packer shall be tested under the supervision of the Department at a minimum pressure differential between the tubing and the annulus of 300 PSIG for a period of 30 minutes. In addition, the casing-tubing annulus starting test pressure shall not be less than 300 PSIG and may vary no more than five (5) percent of the starting test pressure during the test. The well may be operating or shut in during the test.

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2) Monitoring Test  
For those wells which are physically unable to perform the pressure test specified in subsection (e)(1) above because the packer would unseat, but not because the well is unbound, the permittee may make application to perform an alternative monitoring test on forms prescribed by the Department. In determining whether to approve an alternative monitoring test, and in establishing the test parameters (i.e., positive annulus pressure, tubing injection pressure, injection rate, monitoring method and length and frequency of monitoring), the Department will consider well construction including:

A) The volume of the casing-tubing annulus;

B) Depth of packer;

C) Pressure below the packer; and

D) Type of tubing and packer.

An approved monitoring test will consist of pressuring the annulus to a specified pressure no less than 50 PSIG and monitoring the positive injection rate over a specified period of time.

f) Any class II injection well which fails an internal mechanical integrity test or on which an internal mechanical integrity test has not been performed when required by subsection (c) above, shall be shut in until the well is plugged, converted to a producing well, or until remedial work is commenced and completed in accordance with Section 240.650(c) and an internal mechanical integrity test is successfully completed.

g) External Mechanical Integrity (Part II):

The external mechanical integrity, i.e., outside of the casing, shall be evaluated by the Department to establish that the fresh water and other zones are protected from upward migration of injection fluids. In evaluating external mechanical integrity, the following requirements shall apply:

1) Any newly drilled Class II Injection Well permitted after the effective date of this Section shall have cement placed behind that string of casing which is adjacent to the wellbore at the depth of the permitted interval of injection to prevent the injected fluid from migrating into the fresh water or other unpermitted intervals. Such cement shall extend at least 250 feet above the top of the permitted interval of injection.



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2) Any existing Class II Injection Well or existing production well permitted for conversion to a Class II Injection Well after the effective date of this Section, shall have cement behind that string of casing which is adjacent to the wellbore at the depth of the permitted interval of injection to prevent the injected fluid from migrating into the fresh water or other unpermitted intervals. Such cement shall extend at least 100 feet above the top of the permitted interval of injection.

3) If external mechanical integrity, under subsections (g)(1) or (2) above, cannot be demonstrated by cement records or Illinois State Geological Survey record, the permittee may utilize one or more of the following methods to demonstrate External Mechanical Integrity:

- A) Temperature log indicating top of cement.
- B) Conventional acoustic cement bond log with travel time and amplitude clearly marked.
- C) Advanced cement evaluation logs.
- D) Radioactive tracer survey indicating lack of fluid migration behind the casing.
- E) Oxygen-activation log indicating lack of fluid migration behind the casing.

h) A well which has not demonstrated External Mechanical Integrity need not be shut in pending completion of remedial work, if there is no fluid migration into fresh water. If the Department has reason to believe, based upon field observation, that there is fluid migration into the fresh water resulting from a failure of External Mechanical Integrity, the well must be shut in until the well is plugged or until remedial work is commenced and completed in accordance with Section 240.650(c) and External Mechanical Integrity is established.

(Source: Added at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 240.1160 Converting to Water Well (Repealed)

When the fee-owner of the surface desires to utilize a well to be abandoned for fresh water purposes, such well need not be fitted above the fresh water strata or bed, but a twenty-five foot (25) cement plug shall be placed immediately below such fresh water bed, provided, however, written authority for such use is secured from the fee-owner who shall at 50 sign and file with

the Mining Board a release form furnished by the Mining Board, thereby releasing the owner, manager, or operator from all responsibility and statutory or other requirements for the further plugging of said well.

(Source: Repealed at Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Identification, Evaluation, and Placement of Exceptional Children

2) Code Citation: 89 Ill. Adm. Code 795

3) Section Numbers: Proposed Action:  
795.100 amendment  
795.110 repeal

4) Statutory Authority: Implementing Sections 3 and 10 and authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434 and 3441).

5) A Complete Description of the Subjects and Issues involved: Sections 795.100 and 795.110 are being amended to be consistent with Illinois State Board of Education changes in 23 Ill. Adm. Code 226.570 and 226.572. They are also being combined for clarity.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date?  
Yes X No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this part? No

Section Numbers Proposed Action Illinois Register Citation  
10) Statement of Statewide Policy Objectives (if applicable):  
Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

## NOTICE OF PROPOSED AMENDMENTS

Ms. Leigh Reed  
Regulations and Procedures Division  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896  
T.D.D.: (217) 782-5734

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES  
NOTICE OF PROPOSED AMENDMENTSTITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER f: EDUCATIONAL FACILITIESPART 795  
IDENTIFICATION, EVALUATION, AND PLACEMENT OF  
EXCEPTIONAL CHILDREN

Section	Program of Public Awareness
795.10	Responsibility of Seeking Out and Identifying Students
795.20	Needing Special Program
795.30	Case Study Evaluation to Determine Need for Modification of Educational Services
795.40	Notification of Modification or Change
795.50	Criteria for Change
795.60	Recommendations
795.70	Written Report
795.80	Additional Meetings
795.90	Parental Notification
795.100	Parental Consent to Proposed Modifications
795.110	Parental Objections (Repealed)
795.120	Modifications or Changes
795.130	Review of Educational Status and Continued Special Education Placements
795.140	Written Notification of Continuation to Parents
795.150	Written Notification to State School Superintendent
795.160	Termination of Placement (Repealed)

AUTHORITY: Implementing Sections 3 and 10 and authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434 and 3441).

SOURCE: Adopted at 6 Ill. Reg. 1235, effective January 28, 1982; codified at 6 Ill. Reg. 14860; amended at 12 Ill. Reg. 14012, effective August 19, 1988, amended at 14 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 795.100 Parental Response to Proposed Modifications

- a) If the parents consent to the proposed modifications, and they may waive the ten (10) calendar day interval, and the student shall be placed in the recommended program as soon as practicable.

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- b) If the parents object to the proposed modifications, within ten (10) calendar days of notification of proposed modifications, they shall contact the State School indicating their objection. The State School shall then, within ten (10) calendar days of receipt of the parents' objection, arrange a conference with the parents in an attempt to resolve the disagreement. If the parents continue to object to the proposed modifications, they may appeal by requesting a Level 1 hearing. Such a request shall be made in writing to the superintendent of the State School. Rules for due process hearings are set forth in 23 Ill. Adm. Code 226.605 - 226.625.

- c) Receipt of a request for an impartial due process hearing shall cause the State School to postpone its proposed modifications of the special educational services until the matter is resolved.

- d) The student shall remain in his/her current educational program, unless:

- 1) an agreement is reached between the parents and the State School; or

- 2) 89 Ill. Adm. Code 755.260(e) applies.

(Source: Amended at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 795.110 Parental Objections (Repealed)

If the parents object to the proposed modifications within ten (10) calendar days of their receipt of notification of the proposed modifications, they shall contact the State School indicating their objection. The State School shall then arrange a conference with the parents in an attempt to resolve the disagreement. If the parents continue to object, they may appeal the proposed modifications by requesting an impartial due process hearing by the Department of Rehabilitation Services. That request shall be made in writing to the superintendent of the State School.

- a) Receipt of a request for an impartial due process hearing shall cause the State School to postpone its proposed modifications of the special education services of the student until the matter is resolved.



## DEPARTMENT OF REHABILITATION SERVICES

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- b) The student shall remain in his/her current educational program unless a mutual agreement is reached between the parents and the State School until the modification issue is resolved unless Responsibility for Special Education (89 Ill. Adm. Code 760.40(b)) applies.

(Source: Repealed at \_\_\_ Ill. Reg. \_\_\_, effective \_\_\_)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Lekoteks

- 2) Code Citation: 89 Ill. Adm. Code 899

- |                            |                         |
|----------------------------|-------------------------|
| 3) <u>Section Numbers:</u> | <u>Proposed Action:</u> |
| 899.10                     | new section             |
| 899.20                     | new section             |
| 899.30                     | new section             |
| 899.40                     | new section             |

- 4) Statutory Authority: Implementing and authorized by Sections 3(k) and 3c of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(k) and 3434c.)

- 5) A Complete Description of the Subjects and Issues involved:  
This new part promulgates DORS' policies for Lekotek centers.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?  
Yes ☐ No ☒

- 8) Does this proposed rule contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Section Numbers Proposed Action Illinois Register Citation  
Statement of Statewide Policy Objectives (if applicable):  
Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Leigh Reed  
Regulations and Procedures Division  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED RULES

Telephone number: (217) 785-3896  
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

## 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: December, 1989
- B) Types of small businesses affected: Lekoteks
- C) Reporting, bookkeeping or other procedures required for compliance: semi-annual and quarterly reporting
- D) Types of professional skills necessary for compliance: degreed (Bachelor's and special education background)

The full text of the Proposed Rule(s) begins on the next page:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED RULES

CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER h: MISCELLANEOUS PROGRAMS

PART 899  
LEKOTEKS

Section  
899.10 Purpose  
899.20 Selection Criteria  
899.30 Determination of Geographical Need  
899.40 Conditions of Contract

AUTHORITY: Implementing and authorized by Sections 3(k) and 3c of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(k) and 3434c.)

SOURCE: Adopted at Ill. Reg., effective           .

NOTE: Statutory language is denoted by capital letters.

Section 899.10 Purpose

THE DEPARTMENT of Rehabilitation Services (DORS) SHALL ENTER INTO CONTRACTS WITH PUBLIC OR PRIVATE AGENCIES FOR THE ESTABLISHMENT AND CONTINUED SUPPORT OF RESOURCE, TRAINING AND COUNSELING CENTERS FOR FAMILIES WITH CHILDREN WITH SPECIAL NEEDS. THESE CENTERS SHALL BE KNOWN AS LEKOTEKS.

Section 899.20 Selection Criteria

- a) DORS shall enter into contracts to establish or expand services offered by Lekotek centers or satellite offices based upon the availability of state funds.
- b) DORS shall only enter into contracts for the purpose of establishing Lekotek centers with those agencies which are:
  - 1) licensed by the National Lekotek Center (NLC), and
  - 2) located in geographical areas designated by DORS/NLC as being in need of Lekotek centers.

ILLINOIS REGISTER  
DEPARTMENT OF REHABILITATION SERVICES  
NOTICE OF PROPOSED RULES

Section 899.30 Determination of Geographical Need  
DORS/NLC shall determine the geographical need for Lekotek centers based upon:

- a) the proximity of existing Lekotek centers, and
- b) the size of the population to be served.

Section 899.40 Conditions of Contract

As contractors with DORS, the Lekotek centers must agree to comply with:

- a) the rules set forth in 89 Ill. Adm. Code 525 "Grants and Contracts," and
- b) the conditions set forth in the National Lekotek Center's licensing agreement.

1) The Heading of the Part: Animal Diagnostic Laboratory Act

2) Code Citation: 8 Ill. Adm. Code 110

3) Section numbers: Adopted Action:  
110.90 Amended  
110.110 Amended

4) Statutory Authority: An ACT authorizing the Department of Agriculture to establish animal disease laboratories (Ill. Rev. Stat. 1987, ch. 8, par. 105.11).

5) Effective Date of Amendments: March 1, 1990

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: February 21, 1990

9) Notices of Proposal Published in Illinois Register:

Nov. 3, 1989, 13 Ill. Reg. 16861  
(issue date)

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:  
In Section 110.90(a)(16), added "IDEXX PROBE.....\$15.00 G".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? n/a

13) Will these amendments replace an emergency amendment currently in effect?  
No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

The costs of E. coli or Metritis and the individual insecticide tests have been increased as costs for conducting these tests have increased. It takes just about the same amount of time to conduct a single insecticide test as it does to do several and, in addition, the increases will make the fees more compatible to those of surrounding states.

A new test which will have the results in a matter of hours for Johne's disease was approved by the Advisory Board of Livestock Commissioners and the fee for such test was set at \$15.



DEPARTMENT OF AGRICULTURE  
NOTICE OF ADOPTED AMENDMENTS

6) Information and questions regarding this adopted amendment shall be directed to:

Name: Donna Garman  
Address: Division of Administrative Services, Illinois  
Department of Agriculture, Agriculture Building, State  
Fairgrounds, Springfield, Illinois 62794-9281  
Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page.

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER 1: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS  
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 110  
ANIMAL DIAGNOSTIC LABORATORY ACT

Section	Definitions
110.10	Submitting Specimens
110.20	Payment For Laboratory Services
110.30	Tests Not Covered By Fee Schedule
110.40	Minimum Fees
110.50	Euthanasia Fees
110.60	Clinical Pathology Fees
110.70	Histopathology Fees
110.80	Microbiology Fees
110.90	Parasitology Fees
110.100	Toxicology Fees
110.110	Miscellaneous Fees
110.120	Meats Chemistry Fees
110.130	

AUTHORITY: Implementing and authorized by "AN ACT authorizing the Department of Agriculture to establish animal disease laboratories" (Ill. Rev. Stat. 1987, ch. 8., par. 105.11).

SOURCE: Adopted and codified at 8 Ill. Reg. 9047, effective July 1, 1984; amended at 9 Ill. Reg. 4471, effective March 22, 1985; amended at 9 Ill. Reg. 19638, effective January 1, 1986; amended at 10 Ill. 9733, effective May 21, 1986; amended at 11 Ill. Reg. 10163, effective May 15, 1987; amended at 12 Ill. Reg. 3379, effective January 25, 1988; amended at 13 Ill. Reg. 3617, effective April 15, 1989; amended at 14 Ill. Reg. 1907, effective January 19, 1990; amended at 14 Ill. Reg. 3416, effective March 1, 1990.

Section 110.90 Microbiology Fees

The following are the fees for microbiology:

- a) Bacteriology, Mycoplasma and Fungi

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Aerobic or anaerobic culture without sensitivity testing..... 10.00 C, G
- 2) Aerobic culture with sensitivity testing..... 15.00 C, G
- 3) Anaerobic culture (includes sensitivity test)..... 15.00 C, G
- 4) Milk samples for mastitis evaluation (1-4 specimens)..... 15.00 C, G
- (additional specimens, each at)..... 2.00 C, G
- 5) Wisconsin mastitis test (1-10 specimens, each)..... 2.00 C
- (additional specimens, each at)..... 1.00 C
- 6) Leptospirosis - 6 serotypes..... 2.00 C, G
- 7) Microtiter test - per specimen..... 5.00 C, G, S
- 8) Canine brucellosis - per specimen..... 10.00 C, G
- 9) Fluorescent Antibody Test (FA)..... 3.00 C
- 10) Escherichia coli serotyping..... 4.00 C, G
- 11) Campylobacter (culture)..... 1.00 C, G
- 12) Salmonella Serotyping..... 6.00 C, G
- 13) Salmonella isolation using enrichment media..... 3.00 C, G
- 14) Hemophilus (culture)..... 2.00 C, G
- 15) Nasal Swabs--Bordetella..... 2.00 C, G
- 16) Listeria (culture)..... 4.00 C, G
- 17) Haemophilus equigenitalis (CEM)..... 3.00 C, G
- 18) Spirochetes (swine dysentery--Treponema sp.)..... 5.00 C, G
- 19) John's Bacillus (first specimen)..... 2.00 C, G
- (each additional specimen)..... 15.00 C
- 20) IDEXX PROBE..... 1.00 C, G
- 21) Prepare and Supply Transport Media (per tube)..... 2.00 C, G
- 22) Return culture for bacterin production per organism..... 2.00 C, G
- 23) Microscopy examination..... 3.00 C
- 24) Mycoplasma testing..... 6.00 C, G
- 25) Somatic Cell Count (1-10 specimens, each)..... 2.00 C
- (Each additional specimen)..... 1.00 C
- 26) E. Coli or Metritris (1-4 specimens)..... 15.00 C, G
- (each additional specimen)..... 2.00 t+50 C, G

## b) Virology

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- 1) Electron Microscopy - fecal..... 10.00 G
- 2) Pseudorabies Serology (positive or negative)..... no charge C, G
- Pseudorabies Serology Out-of-State..... 3.00 C, G
- Pseudorabies Serology (positive or negative) and end titer..... 3.00 C, G
- Additional serology test to determine pseudorabies vaccine usage (1-10 specimens, each)..... 1.00 C, G
- (Each additional specimen)..... .50 C, G
- 3) Pseudorabies Serology (request for screen at dilution of 1:2)..... 3.00 C, G
- 4) Fluorescent Antibody Test (each disease)..... 10.00 C, G
- 5) Rabies..... 5.00 C, G
- 6) Virus Isolation in Cell Culture..... 15.00 C, G
- 7) Viral Serology (each disease) (1-5 specimens, each)..... 3.00 C, G
- (Each additional specimen)..... 1.00 C, G
- 8) Feline Leukemia..... 10.00 C, G
- 9) Feline Infectious Peritonitis (F.I.P.)..... 5.00 C
- 10) Canine parvo-virus (ELISA) fecal..... 5.00 C, G
- 11) Canine distemper on serum..... 5.00 C
- 12) Rota-virus on fecal..... 10.00 C
- 13) Semen testing (export)..... 10.00 C
- 14) Swine enterovirus (8 serotypes)..... 12.00 C
- 15) FeLV-FELT..... 15.00 C
- 16) Porcine fetal fluid IgG..... 3.00 C
- 17) Feline lentivirus (FeLT)..... 10.00 C
- c) Chlamydia Isolation in Cell Culture..... 15.00 C, G
- d) Miscellaneous serology
  - 1) Toxoplasmosis..... 5.00 C
  - 2) Vibrio Agglutination Test (Campylobacter)..... 2.00 S
  - 3) EIA-ACID..... 5.00 S
  - 4) Mare Immunological Pregnancy Test (35-60 days post-service)..... 15.00 C
  - 5) Aleutian Disease-Mink (immunoelectrophoresis)..... .20 S
  - 6) Out-of-State brucellosis serology..... .50 C, G, S

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- 7) Brucellosis testing other than bovine, porcine and canine..... .50 C,G,S
- 8) Bluetongue (1-5 specimens, each)..... 3.00 C, S  
(Each additional specimen)..... 2.00 C, S
- 9) Bovine leukosis (1-5 specimens, each).... 3.00 C, S  
(Each additional specimen)..... 1.00 C, S
- 10) Vesicular stomatitis..... 3.00 C
- 11) Complement Fixation Serology  
(1-5 specimens, each)..... 3.00 C  
(Each additional specimen)..... 1.00 C
- Note: The Complement Fixation Serology tests include testing for anaplasmosis, and chlamydia.

(Source: Amended at 14 Ill. Reg. 3416, effective March 1, 1990)

## Section 110.110 Toxicology Fees

- a) A maximum charge of \$100 shall be assessed Illinois residents. There is no maximum charge for out-of-state residents.

## b) Toxicology Work-up:

Maximum \$50 per animal or \$100 per herd (Illinois animals)

## c) Metals

- 1) Arsenic or Selenium  
1-3 specimens, each..... 20.00 C  
each additional specimen..... 10.00 C
- 2) Lead, Copper, Zinc, Thallium,  
Calcium, Sodium, Manganese,  
Potassium, Iron, Chromium, Cobalt,  
Nickel, or Manganese  
1-3 specimens, each..... 5.00 C  
each additional specimen..... 3.00 C
- 3) Cadmium, Molybdenum and Mercury  
1-3 specimens, each..... 10.00 C  
(each additional specimen)..... 6.00 C

## d) Insecticide Screen

- 1) Organochlorines, organophosphates..... 40.00 C
- 2) Carbamates..... 30.00 C
- 3) Individual insecticide..... 20.00. ~~40.00~~ C

## e) Herbicides

- 1) Phenoxy compounds..... 40.00 C
- 2) Individual analysis of any herbicide from screen..... 20.00 C
- 3) Herbicide screen (heterocyclic nitrogen derivatives, dinitroanilines, urea, carbamate and anilide compounds)..... 50.00 C
- 4) Imidazole compounds..... 50.00 C

## f) Podenticides

- 1) Anticoagulant screen..... 25.00 C
- 2) Zinc Phosphide..... 10.00 C
- 3) Strychnine and other alkaloids..... 10.00 C
- 4) Yellow Phosphorus..... 5.00 C
- 5) Individual anticoagulant..... 10.00 C
- 6) Fluoracetate (1080)..... 20.00 C

## g) Mycotoxins

- 1) Screen (aflatoxins, T-2, DAS, Vomitoxin, Zearalenone)..... 50.00 C
- 2) Milk or urine aflatoxin..... 20.00 C
- 3) Ochratoxin..... 30.00 C
- 4) Citrinin..... 30.00 C
- 5) Individual analysis of any mycotoxin from screen..... 20.00 C
- 6) Cyclopiazonic acid (CPA)..... 30.00 C
- 7) Blacklight for *Aspergillus flavus*..... 2.00 C
- 8) Endophyte testing  
Staining..... 12.50 C  
Grow-out..... 15.00 C

## h) Miscellaneous Analysis



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- 1) Feed microscopy..... 10.00 C  
2) Nitrate:  
Ground Materials (first specimen)..... 8.00 C  
(each additional specimen)..... 4.00 C  
Forages (first specimen)..... 12.00 C  
(each additional specimen)..... 9.00 C  
On Vitreous humor..... 5.00 C  
Cyanide..... 10.00 C  
Cyanide (screen-picric acid)..... 5.00 C  
Ammonia (Urea Toxicosis)  
first specimen..... 10.00 C  
(each additional specimen)..... 5.00 C  
Carboxyhemoglobin, Methemoglobin,  
Sulfahemoglobin  
(first specimen)..... 15.00 C  
(each additional specimen)..... 5.00 C  
Sulfate..... 5.00 C  
Creosote, Petroleum Products..... 15.00 C  
pH..... 1.00 C  
Urea..... 10.00 C  
Total chlorides, feeds or water..... 5.00 C  
Monensin or other ionophore (each)..... 25.00 C  
Water chlorine..... 5.00 C  
Water nitrate, nitrite (each)..... 5.00 C  
Water hydrogen sulfide..... 5.00 C  
Water hardness..... 5.00 C  
Pentachlorophenol (PCP or Penta)..... 15.00 C  
Bone--Percent Ash, Ca, Po4..... 12.00 C  
Ca, Po4 (in feed)..... 10.00 C  
Ergot alkaloids..... 15.00 C  
Antibiotics in feed (each)..... 15.00 C  
Vitamin Analysis (each)..... 10.00 C  
Feed Quality Analysis..... 30.00 C  
Protein and moisture analysis..... 7.50 C  
24) Gas chromatographic/mass  
spectrophotometric analysis (each  
sample)..... 50.00 C  
25) Cholinesterase:  
Blood (first specimen)..... 7.50 C  
(Each additional specimen)..... 4.00 C  
Brain  
(first specimen)..... 12.50 C  
(Each additional specimen)..... 8.00 C  
26) Drug screen..... 25.00 C  
27) Sulf residue (each sulfa drug)..... 5.00 C  
28) Water quality screen (CH, OF,  
Carbamates, Herbicides, Lead)..... 100.00 C  
(Source: Amended at 14 Ill. Reg. 3416, effective  
March 1, 1990)

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Meat and Poultry Inspection Act  
2) Code Citation: 8 Ill. Adm. Code 125  
3) Section Numbers: Adopted Action:  
125.10 Amend  
125.90 Amend  
125.300 Amend  
125.305 Amend  
4) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev.  
Stat. 1987, ch. 56 1/2, pars. 302.6, 302.26, 309, 310, and 316, as amended  
by P.A. 86-217, effective August 15, 1989)  
5) Effective Date of Amendments: February 26, 1990  
6) Does this rulemaking contain an automatic repeal date? No  
7) Do these amendments contain incorporations by reference? No  
8) Date Filed in Agency's Principal Office: February 21, 1990  
9) Notices of Proposal Published in Illinois Register:  
October 27, 1989, 13 Ill. Reg. 16625  
(issue date)  
10) Has JCAR issued a Statement of Objections to these rules? No  
11) Differences between proposal and final version: None  
12) Have all the changes agreed upon by the agency and JCAR been made as  
indicated in the agreement letter issued by JCAR? N/A  
13) Will these amendments replace an emergency amendment currently in  
effect? No  
14) Are there any amendments pending on this Part? No  
15) Summary and Purpose of Amendments:  
References to the latest printed version of the CFRs have been updated.  
These amendments should not create any additional requirements, but it  
is easier to locate a recent document rather than an earlier version.  
References to The Meat and Poultry Inspection Act have been updated to  
reflect recent legislative amendments.

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The definition of "livestock" has been amended to include those animals that were added to the Act by P.A. 86-217.

Where the public can find the official marks of inspection for domestic deer, domestic elk, domestic antelope, domestic reindeer, and water buffalo has been added.

Because buffalo inspection is a mandatory service performed by the Department in accordance with the Act, no charge for performing such service will be made. Therefore, the statement that ante-mortem and post-mortem inspection of buffalo will be charged as a special service is no longer accurate.

The fee for performing special services is being increased from \$8 to \$15 per hour, except for holidays which is increased from \$9.50 to \$30 per hour. The present rate structure is below the fees charged for inspection service performed during normal working hours. Further, the Department's laboratories do not operate on holidays.

The U.S. Department of Agriculture is permitting the state to perform inspection services on exotic animals being exported. Therefore, reference to the export requirements for exotic animals (9 CFR 352.16) has been added.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Donna Garman  
Address: Division of Administrative Services, Illinois  
Department of Agriculture, Agriculture Building, State  
Fairgrounds, Springfield, Illinois 62794-9281  
Telephone: (217) 785-0112

The full text of Adopted Amendments begins on the next page:

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DEPARTMENT OF AGRICULTURE  
NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT  
PART 125  
MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR POULTRY INSPECTION

- |         |  |
|---------|--|
| Section |  |
| 125.10  | Definitions  |
| 125.20  | Incorporation by Reference of Federal Rules            |
| 125.30  | Application for License; Approval                      |
| 125.40  | Official Number  |
| 125.50  | Inspections; Suspension or Revocation of License       |
| 125.60  | Administrative Hearings; Appeals                       |
| 125.70  | Assignment and Authority of Program Employees          |
| 125.80  | Schedule of Operations; Overtime                       |
| 125.90  | Official Marks of Inspection, Devices and Certificates |
| 125.100 | Records and Reports                                    |
| 125.110 | Exemptions   |
| 125.120 | Disposal of Dead Animals and Poultry                   |
| 125.130 | Reportable Animal and Poultry Diseases                 |
| 125.140 | Detention; Seizure; Condemnation                       |

SUBPART B: MEAT INSPECTION

- |         |   |
|---------|---|
| Section |   |
| 125.150 | Livestock and Meat Products Entering Official Establishments                            |
| 125.160 | Equine and Equine Products  |
| 125.170 | Facilities for Inspection   |
| 125.180 | Sanitation  |
| 125.190 | Ante-Mortem Inspection  |
| 125.200 | Post-Mortem Inspection  |
| 125.210 | Disposal of Diseased or Otherwise Adulterated Carcasses and Parts                       |
| 125.220 | Humane Slaughter of Animals   |
| 125.230 | Handling and Disposal of Condemned or Other Inedible Products at Official Establishment |
| 125.240 | Rendering or Other Disposal of Carcasses and Parts Passed for Cooking                   |
| 125.250 | Marking Products and Their Containers   |
| 125.260 | Labeling, Marking and Containers  |
| 125.270 | Entry into Official Establishment; Reinspection and Preparation of Product              |

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NOTICE OF ADOPTED AMENDMENTSNOTICE OF ADOPTED AMENDMENTS

125.280 Meat Definitions and Standards of Identity or Composition

125.290 Transportation

125.300 Special Services Relating to Meat and Other Products

125.305 Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section

125.310 Application of Inspection

125.320 Facilities for Inspection

125.330 Sanitation

125.340 Operating Procedures

125.350 Ante-Mortem Inspection

125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts

125.370 Handling and Disposal of Condemned or Inedible Products at Official Establishments

125.380 Labeling and Containers

125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements

125.400 Definitions and Standards of Identity or Composition

125.410 Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1987, ch. 56 1/2, par. 301 et seq., as amended by P.A. 86-217, effective August 15, 1989) and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 16).

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill.

Reg. 14858, effective August 22 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990.

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR POULTRY INSPECTION

Section 125.10 Definitions

a) Terms shall be as defined in 9 CFR 301, 303.1(d)(2), (f), (iii) (a), (b), (d), (e) and (f), (iv), (v) and (vi), 361.1, 381.10(d)(2), (ii), (iii)(a), (b), (d), (iv), (v) and (vi), and 352.1(b) through (t) (1989), 53 FR 49844, December 12, 1988, unless they are otherwise defined in The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1987, ch. 56 1/2, par. 301 et seq., as amended by P.A. 86-217 85-346, effective August 15, 1989 September 27 1987) or in this Section as follows:



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"Act" means The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1987S, ch. 56 1/2, par. 301 et seq., as amended by P.A. 86-217 85-246, effective August 15, 1989 September 27 1987).

"Approved veterinarian" means any person who has graduated from a veterinary college that is recognized by the American Veterinary Medical Association.

"Birds" shall mean poultry as defined in Section 2.7 of the Act.

"Condition" means any condition, including, but not being limited to, the state of preservation, cleanliness, or soundness of any product made from rabbits or the processing, handling, or packaging which may affect the wholesomeness of such product.

"Livestock" means cattle, sheep, swine, buffalo, catalo, cattalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, water buffalo, and goats.

"Members of the household" means those persons who occupy a single family unit.

b) With regard to the definitions of consumer and similar type establishment, the Director has not designated any other type of establishment or institution under these terms other than those specifically stated in the incorporated language.

c) With regard to the definitions of retail store, only those sections which are incorporated by reference as stated in Section 125.10(a) shall be included in the definition. References within the incorporated language to the section of the federal rules pertaining to operations of types traditionally and usually conducted at retail stores and restaurants refer to the operations defined in Section 5(A) of the Act. No product exempted from inspection in accordance with Section 5 of the Act shall be prepared in any retail store, restaurant or similar retail-type establishment.

d) References in the incorporated language to 9 CFR 312 and 313 shall be interpreted as references to Sections 125.90 and 125.220 respectively. References to the

DEPARTMENT OF AGRICULTURE  
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Humane Methods and Slaughter Act of 1978 shall mean as set forth in Section 125.220.

(Source: Amended at 14 Ill. Reg. 3424, effective February 26, 1990)

**Section 125.90 Official Marks of Inspection, Devices and Certificates**

a) The official inspection legend which indicates the meat, poultry, buffalo, catalo, cattalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, water buffalo, or meat, buffalo, catalo, cattalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, water buffalo, and/or poultry product was inspected and passed shall be as prescribed in Section 2.26 of the Act.

b) The Department incorporates by reference 9 CFR 312.2(b)(2), 312.4, 312.5(a), 312.6, 312.9, 381.98, 381.99, 381.100, 381.101, 381.103, and 381.106, 381.110 through 381.111 (19894), except that the inscription on the mark of inspection shall contain the word "Illinois" rather than "U.S."

c) The brands shall be in the forms as prescribed in Section 2.26 of the Act.

d) The Department shall supply all Illinois Retained, Illinois Seizure, and Illinois Rejected paper tags. The Illinois Seizure tag is used in lieu of the federal detained tag.

e) The seal referred to in 9 CFR 312.5(a) and 381.98 shall be a padlock or metal self-locking tab as shown in the illustration for the federal rules.

f) The only official brands, symbols, legends and devices shall be those set forth in this Section.

g) Certificates shall be those set forth in the incorporated federal rules.

h) Reference to federal forms MP-427, MP-35, and CP-483 shall mean Illinois paper tags as identified in this Section and MP-514-1 shall mean Illinois form IL 406-0372. A seal is used by the Department in lieu of issuing a form the equivalent of federal form MP-408-3.

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(Source: Amended at 14 Ill. Reg. 3424, effective February 26, 1990)

SUBPART B: MEAT INSPECTION

Section 125.300 Special Services Relating to Meat and Other Products

a) The Department incorporates by reference 9 CFR 350.1 through 350.3(a), 350.3(c), 350.5 through 350.7(a) and 350.7(d) (1989) 53 FR 28632, effective August 29, 1988).

b) The Department shall perform ante-mortem and post-mortem inspection of buffalo in accordance with the rules of this Part and shall charge for such inspection as a special service.

c) The charges for special services shall be paid by check, draft or money order payable to the Illinois Department of Agriculture upon furnishing to the person who requested the service a statement as to the amount due. The fee for rendering these services shall be at the rate of \$15 per hour, except for services rendered on a holiday which shall be \$30. Special services rendered by the Department on a holiday or for any services requiring the use of the Department's laboratory shall be \$9.50 per hour. The person who requested the special service shall also be billed for travel expenses incurred by the inspector in accordance with Travel Regulations (80 Ill. Adm. Code 2800).

(Source: Amended at 14 Ill. Reg. 3424, effective February 26, 1990)

Section 125.305 Exotic Animal Inspection

a) With regard to the inspection and processing of exotic animals, the Department incorporates by reference 9 CFR 352.1, 352.3, 352.11, 352.12, 352.13, 352.14, 352.15, 352.16, and 352.17 (1989) 54 FR 1328, effective February 13, 1989).

b) The Department incorporates by reference 9 CFR 352.7 (1989) 54 FR 1328, effective February 13, 1989, except that the description of the official inspection legend and brand shall be as described in Section 125.90.

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c) References in the incorporated language to 9 CFR 304, 317, 309, 310, 311, 314, 318, 320, and 325 shall be interpreted as references to the provisions in Sections 125.30, 125.250, 125.190, 125.200, 125.210, 125.230, 125.270, 125.100 and 125.290 respectively.

d) References in the incorporated language to 9 CFR 313 shall be interpreted as references to Section 125.220.

(Source: Amended at 14 Ill. Reg. 3424, effective February 26, 1990)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Conditions of Employment
- 2) Code Citation: 80 Ill. Adm. Code 303
- 3) Section Number: Adopted Action:  
303.30 Amend
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 127, pars. 63h101, et seq.
- 5) Effective Date of Amendment(s): February 27, 1990
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: February 27, 1990
- 9) Notice of Proposal Published in Illinois Register:  
November 13, 1989, 13 Ill. Reg. 17169
- 10) Has JCAR issued a Statement of Objections to these rules? No.
- 11) Differences between proposal and final version:

Section 303.30(a), the first sentence was rewritten in response to comments received from the Civil Service Commission. The subsection now provides that an employee of the Civil Service Commission or an employee from an agency other than DCMS may be appointed to serve on the grievance committee.

Section 303.30(b) was deleted in its entirety in the proposed version. In the final version, subsection (b) was not deleted but the first two sentences were rewritten.

In response to recommendations by the Administrative Code Division, "for a maximum of 150 days" was added in line 8 of the source note. Also, in subsection (d), in line 4, the spelling of "the" was corrected.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will this amendment replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of Amendment: Section 303.20 of the Illinois Adm. Code has provided for establishment of a grievance committee panel to

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

review grievances as defined in Section 303.10. The Director of Central Management Services has been responsible for appointing 25 State employees and other non-State employees with experience and knowledge in personnel administration to the panel. The Director would then appoint three members from this panel to form a committee to hear grievances.

This system has not worked as effectively as it should. There is a backlog of grievances, due in part to the difficulty of convening the grievance committee. The Department has had trouble contacting panel members who are not State employees and coordinating schedules so that the committee can be convened on a regular basis.

In order to eliminate the backlog and streamline the grievance process, the Department is adopting this amendment to eliminate the grievance committee panel. In its place, there will be a less cumbersome procedure which should accomplish the same purpose, especially since the grievances do not involve discharges or the more serious disciplinary actions. Under the revised procedure, grievances would continue to be heard by a panel, but the panel would consist of two Department employees and one employee from either the Civil Service Commission or another agency. Panel members must have experience and knowledge in personnel administration and employee relations. Also, similar to the present rule, not more than one committee member could be from the same Bureau and, if the grievant is a CMS employee, none of the committee members could be from the same Bureau as the grievant.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Christine Flatt  
Department of Central Management Services  
503 Stratton Building  
Springfield, Illinois 62706  
217-782-6191

The full text of the Adopted Amendments begin on the next page.



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
POSITION CLASSIFICATIONS

## CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## PART 303

## CONDITIONS OF EMPLOYMENT

## SUBPART A: GRIEVANCE PROCEDURE

## Section

303.10 Definition of a Grievance  
303.20 Procedure  
303.30 Grievance Committee  
303.45 Representation

## SUBPART B: LEAVE OF ABSENCE

## Section

303.90 Sick Leave  
303.100 Accumulation of Sick Leave  
303.102 Payment in Lieu of Sick Leave  
303.105 Reinstatement of Sick Leave  
303.110 Advancement of Sick Leave  
303.125 Leave of Absence Without Pay  
303.135 On-The-Job Injury -- Industrial Disease  
303.140 Leaves of Absence Without Pay  
303.142 Leave to Attend Union Conventions  
303.145 Disability Leave  
303.148 Family Responsibility Leave  
303.150 Employee Rights After Leave  
303.153 Failure to Return  
303.155 Leave to Take Exempt Position  
303.160 Military and Peace Corps Leave  
303.170 Military Reserve Training and Emergency Call-Up  
303.171 Leave for Military Physical Examinations  
303.180 Attendance in Court  
303.190 Authorized Holidays  
303.200 Holiday Observance  
303.215 Payment for Holidays  
303.220 Holiday During Vacation  
303.225 Eligibility for Holiday Pay  
303.250 Vacation Eligibility  
303.260 Prorated Vacation for Part-Time Employees  
303.270 Vacation Schedule and Loss of Earned Vacation  
303.290 Payment in Lieu of Vacation  
303.295 Vacation Benefits on Death of Employee

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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## SUBPART C: WORK HOURS AND SCHEDULES

## Section

303.300 Work Schedules  
303.310 Emergency Shut-Down  
303.320 Overtime  
303.330 Overtime Payable Upon Death  
303.340 Attendance Records  
303.350 Notification of Absence  
303.355 Review of Attendance Records

## SUBPART D: UNDATED OR INCOMPLETE FORMS

## Section

303.360 Undated Forms  
303.370 Incomplete Forms

AUTHORITY: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1987, ch. 127, par. 63b101 et seq.)

SOURCE: Filed May 29, 1975; amended at 3 Ill. Reg. 22, p. 78, effective June 1, 1979; amended at 3 Ill. Reg. 26, p. 199, effective July 1, 1979; emergency amendment at 3 Ill. Reg. 48, p. 188, effective January 1, 1980 for a maximum of 150 days; amended at 4 Ill. Reg. 11, p. 70, effective March 1, 1980; amended at 4 Ill. Reg. 15, p. 216, effective March 31, 1980; amended at 4 Ill. Reg. 22, p. 227, effective June 1, 1980; amended at 5 Ill. Reg. 8029, effective August 1, 1981; codified at 7 Ill. Reg. 13209; emergency amendment at 8 Ill. Reg. 329, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7788, effective May 23, 1984; amended at 14 Ill. Reg. 3433, effective Feb. 27, 1990.

## SUBPART A: GRIEVANCE PROCEDURE

## Section 303.30 Grievance Committee

a) The Director shall appoint 25 employees of the State of Illinois to comprise a grievance committee panel to hear grievances. In addition to State employees, the Director shall appoint persons to the panel who are not employees of the State of Illinois but who have knowledge and experience in personnel administration or employee relations. Committees of three persons may be selected by the Director from the grievance committee panel to hear employee grievances. Not more than one panel member shall be selected from any one State agency and no panel member shall be appointed to a committee which is convened to hear a grievance arising from the operating agency in which the panelist is an employee.

a) The Director shall appoint a grievance committee comprised of two employees of the Department of Central Management Services and

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

one employee of the Civil Service Commission or, if the grievant has a separate proceeding before the Civil Service Commission or if a Civil Service Commission employee is unavailable, an employee from an agency other than the Department of Central Management Services to hear grievances. Committee members must have experience and knowledge in the areas of personnel administration and employee relations. Not more than one committee member shall be appointed from any one bureau and no committee member shall be appointed to hear a grievance arising from the bureau in which the committee member is employed.

b) ~~in addition to the three committee members appointed to hear a grievance, there shall be an employee of the Department present at all grievance hearings and deliberations thereon to assist the Panel in its determination. The Department employee shall act as secretary-chairman of the committee, and shall be entitled to be heard by the committee, but shall be entitled to no vote on its recommendations. In addition to the three committee members appointed pursuant to subsection (a) above, the Director shall appoint an employee of the Department of Central Management Services, Division of Employee and Labor Relations to serve as Secretary-Chairperson of the committee. The Secretary-Chairperson shall assist the committee in its determination, shall be entitled to be heard by the committee, but shall not be entitled to vote on the committee's recommendations. Unless an expedited Step 4 (see Section 303.20(b)(4)) procedure is agreed to by the parties pursuant to procedures and policies issued by the Director, the members of the grievance committee shall reduce their recommendations as to the disposition of the grievance to writing and submit them to the Director. A dissenting member of the committee may make separate recommendations. All recommendations will bear the signature of the concurring committee members.~~

c) Upon the receipt of recommendations from a grievance committee, the Director shall approve, disapprove or modify the Panel recommendations, shall render a decision thereon in writing, and cause a copy of such decision to be served upon the parties. The Director's decision shall be final.

d) The written statement of the employee's grievance, the recommendations of the grievance committee, and the decision of the Director, thereon shall be made a part of the permanent record of the grieving employee in the files of the Department.

(Source: Amended at 14 Ill. Reg. 3433, effective Feb. 27, 1990)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Services Delivered by the Department
- 2) Code Citation: 89 Ill. Adm. Code 302
- 3) Section Numbers: Adopted Action  
302.390 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch 23, par. 5035.1
- 5) Effective Date of Amendment: March 1, 1990
- 6) Does this rulemaking contain an automatic repeal date: Yes X No  
If so, please specify date:
- 7) Does this Amendment contain incorporations by reference? No  
If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking?
- 8) Date Filed in Agency's Principal Office: February 16, 1990
- 9) Notice(s) of Proposal Published in Illinois Register:  
September 22, 1989, 13 Ill. Reg. 14508  
(issue date)
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version:  
The only changes are editing and stylistic changes recommended by the Administrative Code Division as well as the addition of statutory citations wherever necessary.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will this Amendment replace an emergency Amendments currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of this Amendment: This Amendment requires that the Department provide important information about children it is placing in substitute care to foster parents and other substitute caretakers. This information includes medical, school, legal and other background information about the child. The information shall be provided as soon as possible upon placement of the child or as soon as the information is available.

16) Information and questions regarding this Amendment shall be directed to:

Name:

Address:

Telephone:

Jacqueline Nottingham, Chief

Office of Rules and Procedures  
Department of Children and Family Services  
406 East Monroe  
Springfield, Illinois 62701-1498

217/785-2592

The full text of the adopted Amendment begins on the next page:

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER a: SERVICE DELIVERY

PART 302

SERVICES DELIVERED BY THE DEPARTMENT

SUBPART A: GENERAL PROVISIONS

Section	Purpose
302.10	Definitions
302.20	Introduction
302.30	Department Service Goals
302.40	Functions in Support of Services
302.50	

SUBPART B: REPORTS OF SUSPECTED CHILD ABUSE AND NEGLECT (Recodified)

Section	
302.100	Reporting Child Abuse or Neglect to the Department (Recodified)
302.110	Content of Child Abuse or Neglect Reports (Recodified)
302.120	Transmittal of Child Abuse or Neglect Reports (Recodified)
302.130	Special Types of Reports (Recodified)
302.140	Referrals to the Local Law Enforcement Agency and State's Attorney (Recodified)
302.150	Delegation of the Investigation (Recodified)
302.160	The Investigative Process (Recodified)
302.170	Taking Children Into Temporary Protective Custody (Recodified)
302.180	Notification of the Determination Whether Child Abuse or Neglect Occurred (Recodified)
302.190	Referral for Other Services (Recodified)

SUBPART C: DEPARTMENT CHILD WELFARE SERVICES

Section	
302.300	Adoptive Placement Services
302.305	Adoption Listing Service for Special Needs Children
302.310	Adoption Assistance
302.315	Adoption Registry
302.320	Counseling or Casework Services
302.330	Day Care Services
302.340	Emergency Caretaker Services
302.350	Family Planning Services
302.360	Health Care Services
302.370	Homemaker Services
302.380	Information and Referral Services
302.390	Placement Services
302.400	Successor Guardianship



## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENT(S)

## Appendix A Acknowledgement of Mandated Reporter Status (Recodified)

**AUTHORITY:** Implementing and authorized by Section 5 et seq. of "AN ACT creating the Illinois Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named" (Ill. Rev. Stat. 1987, ch. 23, par. 5005 et seq.); Section 3-6-2(g) of the Unified Code of Corrections (Ill. Rev. Stat. 1987, ch. 38, par. 1003-6-2(g)); Illinois Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6351-3 et seq.); and Public Law 96-272, Adoption Assistance and Child Welfare Act of 1980 (94 Stat. 500); Section 1-1 et seq. of the Juvenile Court Act of 1987 (Ill. Rev. Stat. 1987, ch. 37, par. 801-1 et seq.), and "AN ACT in relation to the adoption of persons, and to repeal an act therein named," (Ill. Rev. Stat. 1987, ch. 40, par. 1501 et seq.).

**SOURCE:** Adopted and codified at 5 Ill. Reg. 13188, effective November 30, 1981; amended at 6 Ill. Reg. 15529, effective January 1, 1983; recodified at 8 Ill. Reg. 992; peremptory amendment at 8 Ill. Reg. 5373, effective April 12, 1984; amended at 8 Ill. Reg. 12143, effective July 9, 1984; amended at 9 Ill. Reg. 2467, effective March 1, 1985; amended at 9 Ill. Reg. 9104, effective June 14, 1985; amended at 9 Ill. Reg. 15820, effective October 8, 1985; amended at 10 Ill. Reg. 5557, effective April 15, 1986; amended at 11 Ill. Reg. 1390, effective January 13, 1987; amended at 11 Ill. Reg. 1551, effective January 14, 1987; amended at 11 Ill. Reg. 1829, effective January 15, 1987; recodified to 89 Ill. Adm. Code 300 at 11 Ill. Reg. 3492, Sections 302.20, 302.100, 302.110, 302.120, 302.130, 302.140, 302.150, 302.160, 302.170, 302.180, 302.190, Appendix A; amended at 13 Ill. Reg. 18847, effective November 15, 1989; amended at 14 Ill. Reg. 3438, effective March 1, 1990.

## Section 302.390 Placement Services

- a) When Placement is Appropriate
- 1) Placement services are not offered unless appropriate family preservation services have been provided to the family, or have been offered to and refused by the family. However, when the children's safety and well-being are endangered as defined in Section-302-390 subsection (d), and other services are deemed insufficient to ensure their safety and well-being, placement services shall be provided even though other appropriate services have not been offered.
  - 2) Other than situations where emergency placement is necessary, the family shall be offered an appropriate mix of services directed at family preservation to supplement their parenting skills or to resolve or alleviate family problems which threaten to harm the child. Services directed toward family preservation shall be offered and will be identified in the service plan. When services are unsuccessful, or are offered to and refused by the family, the child may be placed in accordance with applicable legal procedures.
  - 3) Generally, the goal for children in placement is family

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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reunification. When efforts toward achieving family reunification fail to result in a home environment that is consistent with the child's safety and well-being, a new permanent legal status and permanent living situation shall be sought in accordance with the child's needs.

- b) Placement is Temporary  
Placement is intended to be a temporary situation for the children during the time that the parents' ability to care for the child is being evaluated or the parents are receiving services to alleviate the problems in the home so the family can be reunited.

- c) Legal Authority to Place  
The Department shall not place children until it has the appropriate legal authority to do so. Such legal authority includes: temporary protective custody in accordance with the Abused and Neglected Child Reporting Act; an adoptive surrender(s) in accordance with the Adoption-Act "AN ACT in relation to the adoption of persons, and to repeal an act therein named," (Ill. Rev. Stat. 1985, ch. 40, par. 1501 et seq.); custody or guardianship in accordance with the Juvenile Court Act of 1987 (Ill. Rev. Stat. 19857, ch. 37, par. 701-1 et seq.); or temporary custody with written consent of the parent(s) or, if the child is not in the custody of either parent, written consent of the guardian or custodian of the child, in accordance with An-Act "AN ACT creating the Illinois Department of Children and Family Services codifying its powers and duties, and repealing certain Acts and Sections herein named" (Ill. Rev. Stat. 1987, ch. 23, pars. 5005 et seq.). A written consent from a parent, guardian or legal custodian requesting temporary placement services for their child(ren) is known as a voluntary placement agreement. A voluntary placement agreement may be entered into for a maximum of 60 days and requires prior written approval of the administrator in charge of the Department or his designee. A voluntary placement agreement may be renewed for an additional 60 days only with the prior non-delegable written approval of the administrator in charge of the Department region.

- d) Emergency Placement  
Emergency placement services shall be provided immediately when other services will not ensure the safety of the child when the Department has reason to believe:
- 1) that leaving the child in the home of his caretaker would present an imminent danger to the child's safety and well-being; or
  - 2) that the parent(s) of a child who has been left unsupervised and is unable to care for himself cannot be readily located and emergency caretaker services are not available; or
  - 3) that services directed toward keeping the family together would not sufficiently protect the child from life-threatening or severe physical injury and would, therefore, endanger the child's safety and well-being; or
  - 4) that the child appears to be severely ill or injured and the parent or caretaker is unable to care for the child in this

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situation; or

- 5) the child is abandoned; or
- 6) the child is a runaway in accordance with 89 Ill. Adm. Code 329, Return of Runaway Children.

e) Placement Selection

Children who need placement shall:

- 1) be placed in the least restrictive setting which most closely approximates a family and in which the children's needs will be met; and
- 2) be placed within reasonable proximity to their homes, taking into account any special needs of the child and family and the availability of the service resources needed for the child and family; and
- 3) be placed, if possible, in a home that most closely approximates the religious, and cultural background of the biological family; and
- 4) be placed in the home of a relative when the child can benefit from the relationship between the parent(s), the relative and the child; and
- 5) be placed, if a child of American Indian heritage, according to criteria described in 89 Ill. Adm. Code 307, Indian Child Welfare Services.

f) Foster Family Home Care

1) Foster family home care is provided in licensed foster family homes for children who cannot remain home and who can benefit from a family structure of care. The Department shall have legal responsibility for the child before the child is placed in a foster family home.

2) Although foster family home care is generally provided to children whose parents are unable or unwilling to protect or care for them, it is also available for hearing impaired children who require special education not available in their home communities. The Department is not legally responsible for the children receiving this unique placement service. Care is provided in cooperation with the Illinois State Board of Education.

g) Relative Home Care

Relative home care shall be explored for all children for whom the Department is legally responsible who need a family structured living arrangement. Placement shall be made only with relative caretakers approved by the Department as meeting the licensing standards for foster family home applicants. Refer to 89 Ill. Adm. Code 335, Relative Home Placement.

h) Residential Care

Residential care is provided in licensed group homes and residential care facilities (child care institutions and intermediate or skilled nursing care facilities). Group homes are considered to be a less restrictive environment than an institutional setting. Group home care is provided for teenagers unable to adjust to family living who

need a less structured living situation than is provided in residential care facilities. Placement in a residential care facility shall be made only when no other less restrictive setting is appropriate for:

- 1) children requiring intensive services to change behaviors which significantly interfere with their ability to cope with daily life or which preclude placement in a family setting; or
- 2) children who require long term care on an ongoing basis in an intermediate or skilled nursing care facility because of a severe physical or mental handicap; or
- 3) children who require long term care on an ongoing basis because of a severe emotional handicap.

i) Sharing Appropriate Information with the Caretaker

1) At the time the Department places a child in foster care or other substitute care setting, the Department shall provide available information about the child necessary for the proper care of the child to the foster parent or other caretaker.

2) This information includes:

- A) The medical history of the child including known medical problems or communicable diseases.
- B) The school history of the child, including any special educational needs.
- C) The case history of the child, including how the child came into care, the child's legal status and the permanency goal for the child.
- D) Other background information of the child, including behavior problems, habits, likes, dislikes, etc.
- 3) Information subject to the Mental Health and Developmental Disabilities Code, shall be shared only in accordance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department, Section 431.7.
- 4) Information regarding Acquired Immunodeficiency Syndrome (AIDS), AIDS Related Complex (ARC) or Human Immunodeficiency Virus (HIV) test results, shall be shared only in accordance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served By the Department, Section 431.11.
- 5) When the above information is not available at the time of placement, the caretaker shall be given what information is available and advised that additional information will be provided when it is received.

(Source: Amended at 14 Ill. Reg. 3438, effective March 1, 1990)

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Enterprise Zone Program
- 2) Code Citation: 14 Ill. Adm. Code 520
- 3) Section Numbers:  
520.900 Adopted Action:  
520.910 Amendment  
520.930 Amendment
- 4) Statutory Authority: Implementing Section 1f of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 1987, ch. 120, par. 440f, as amended by P.A. 86-44, effective October 1, 1989) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).
- 5) Effective Date of Amendments: February 27, 1990
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: February 26, 1990.
- 9) Notice of Proposal Published in Illinois Register: October 13, 1989; 13 Ill. Reg. 15975.

- 10) Has JCAR issued a Statement of Objections to these amendments? No.
- 11) Differences between proposal and final version: The final text of the amendment is the same as was proposed.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary as a result of JCAR review.
- 13) Will these amendments replace an emergency amendment currently in effect? Yes.
- 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of Amendments: P.A. 86-44 amends Section 1f of the Retailers' Occupation Tax Act by providing that a business can qualify for the Enterprise Zone Machinery and Equipment/Pollution Control Facilities Sales Tax Exemption by investing \$40,000,000 in an Enterprise Zone resulting in the retention of at least 90% of the full-time jobs in place at the time of the exemption. These amendments reflect this change.

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Dennis R. Whetstone, Deputy Director  
Department of Commerce and Community Affairs  
Bureau of Program Administration  
620 East Adams Street, 5th floor  
Springfield, Illinois 62701  
(217) 782-6136

The full text of the Adopted Amendments begins on the next page:



## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF ADOPTED AMENDMENTS

TITLE 14: COMMERCE  
 SUBTITLE C: ECONOMIC DEVELOPMENT  
 CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## PART 520

## ENTERPRISE ZONE PROGRAM

## SUBPART A: DEFINITIONS

## Definitions

Section  
 520.100

## SUBPART B: APPLICATION AND CERTIFICATION

Eligible Applicants  
 Eligibility Criteria  
 Form of Application  
 Application Procedures  
 Joint Application  
 Application Evaluation and Ranking

Section  
 520.200  
 520.210  
 520.220  
 520.230  
 520.240  
 520.250

## SUBPART C: AMENDMENT AND DECERTIFICATION

Application Overview  
 Boundary Changes  
 Decertification

Section  
 520.300  
 520.310  
 520.320

## SUBPART D: DESIGNATED ZONE ORGANIZATIONS

General  
 Project Eligibility and Approval  
 Charitable Contributions

Section  
 520.400  
 520.410  
 520.420

## SUBPART E: LOCAL RESPONSIBILITIES

Reporting and Monitoring  
 Administration

Section  
 520.500  
 520.510

## SUBPART F: TAX INCENTIVES

Jobs Tax Credit

Section  
 520.600

## SUBPART G: HIGH IMPACT BUSINESSES IN ILLINOIS

Definitions  
 Eligible Applicants  
 Eligibility Criteria  
 Form of Application  
 Application Review and Approval

Section  
 520.700  
 520.710  
 520.720  
 520.730  
 520.740

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## 520.750 Revocation of the High Impact Business Designation

## SUBPART H: INVESTMENT TAX CREDIT CARRY-FORWARD

Section  
 520.800  
 520.810  
 520.820  
 520.830

Definitions  
 Eligibility Criteria  
 Form of Application  
 Application Review and Approval Process

## SUBPART I: MACHINERY AND EQUIPMENT/POLLUTION CONTROL FACILITIES SALES TAX EXEMPTION

Section  
 520.900  
 520.910  
 520.920  
 520.930

Definitions  
 Eligibility Criteria  
 Form of Application  
 Application Review and Approval Process

## SUBPART J: ENTERPRISE ZONE UTILITY TAX EXEMPTION

Section  
 520.1000  
 520.1010  
 520.1020  
 520.1030

Definitions  
 Eligibility Criteria  
 Form of Application  
 Application and Approval Process

**AUTHORITY:** Implementing the Illinois Enterprise Zone Act (Ill. Rev. Stat. 1987, ch. 67 1/2, pars. 601 et seq.); Sections 201(f), (g) and (h) of the Illinois Income Tax Act (Ill. Rev. Stat. 1988 Supp., ch. 120, pars. 2-201(f), (g) and (h)); Sections 1d-1f of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 1987, ch. 120, pars. 440d-440f, as amended by P. A. 86-44, effective October 1, 1989); and Sections 9-221, 9-222, and 9-222.1 of the Public Utilities Act (Ill. Rev. Stat. 1987, ch. 111 2/3, pars. 9-221, 9-222, and 9-222.1) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.42).

**SOURCE:** Adopted at 9 Ill. Reg. 11790, effective July 24, 1985; emergency amendments at 10 Ill. Reg. 4936, effective March 11, 1986 for a maximum of 150 days; amended at 10 Ill. Reg. 7323, effective April 18, 1986; amended at 10 Ill. Reg. 12563, effective July 7, 1986; amended at 10 Ill. Reg. 12915, effective July 22, 1986; amended at 10 Ill. Reg. 15200, effective September 8, 1986; amended at 10 Ill. Reg. 16580, effective September 24, 1986; amended at 10 Ill. Reg. 19718, effective November 6, 1986; amended at 11 Ill. Reg. 11054, effective June 5, 1987; emergency amendments at 11 Ill. Reg. 11174, effective June 8, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16091, effective September 29, 1987; amended at 12 Ill. Reg. 4115, effective February 8, 1988; amended at 12 Ill. Reg. 11201, effective June 17, 1988; amended at 12 Ill. Reg. 17823, effective October 21, 1988; emergency amendment at 13 Ill. Reg. 16117, effective October 2, 1989, for a maximum of

## NOTICE OF ADOPTED AMENDMENTS

150 days; amended at 13 Ill. Reg. 19936, effective December 7, 1989; amended at 14 Ill. Reg. 3445, effective February 27, 1990.

NOTE: Capitalization denotes statutory language.

SUBPART I: MACHINERY AND EQUIPMENT/POLLUTION  
CONTROL FACILITIES SALES TAX EXEMPTION

Section 520.900 Definitions

The following definitions are applicable to Subpart I.

"Act" means Section 1d-1f of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 1987, ch. 120, pars. 440d-440f, as amended by P.A. 86-44, effective October 1, 1989).

"Department" means the Department of Commerce and Community Affairs.

"Eligible investment" shall consist of the following two categories of expenditures:

Investments in qualified property which are placed in service in an Enterprise Zone. Qualified properties are statutorily defined in Section 2-201(f) of the Illinois Income Tax Act (Ill. Rev. Stat. 1987, ch. 120, par. 2-201(f)).

Noncapital/nonroutine investments, and associated service costs (direct labor or contractual fees), placed in service in an Enterprise Zone and made for the improvement or renovation of qualified properties. These activities are undertaken for the purposes of improving productive capacity, efficiency, product quality or competitive position. The investments cannot be repetitive, commonplace or associated with regular maintenance expenditures, and would include, for example, rebuilt cast house furnaces, rebuilt soaking furnaces, a rebuilt hot line control system, restructured plant layout, and installed equipment to rebuild a logman baler. Noncapital/nonroutine investments are those that do not qualify for the investment tax credit pursuant to Section 2-201(f) of the Illinois Income Tax Act.

Businesses utilizing this definition must provide detailed information as set forth in Section 520.920(a) regarding the purpose, scope, justification and benefits of these noncapital/nonroutine investments, including defined

## NOTICE OF ADOPTED AMENDMENTS

project start and completion target dates, and a level of expenditures of at least \$40,000.

"Full-time employee" means a person, employed by the taxpayer or any wholly-owned subsidiary of the taxpayer, who works a minimum of 35 regular hours per week for 52 weeks for a minimum total of 1,820 hours per year. Vacations, paid holidays and sick time are included in this computation. Overtime is not considered regular hours.

"Full-time equivalent job" means the number of employees required to equal one full-time employee. For purposes of this definition, "employee" means a person who works a minimum of 35 hours per week for a minimum of 13 consecutive weeks to be counted toward full-time equivalency.

"Job creation" means at least 200 full-time equivalent employees have been hired over the number of full-time equivalent employees that were employed by the applicant as of December 31 of the previous year, or the 1st day of the applicant's most recently completed taxable year, whichever is later. Job titles being filled or re-filled as a result of strikes cannot be computed as job creation. A majority of the "jobs created" must be in the enterprise zone in which the eligible investment is made.

"Job retention" means that at least 2,000 full-time employees will remain employed in Illinois as a direct result of the eligible investment and that the employees would have lost their jobs had the investment not been made or that at least 90% of the full-time jobs in place on the date on which the exemption is granted will remain in place for the duration of the exemption. A majority of the "jobs retained" must be in the enterprise zone in which the eligible investment is made.

"Minimum investment" means the amount of eligible investments which must be made to qualify for the exemption. Under the job creation criteria the minimum eligible investment which must be made in the enterprise zone is \$5 million. Under the job retention criteria the minimum eligible investment which must be made in the enterprise zone is \$40 million.

"Placed in service" means the state or condition of readiness and availability for a specifically assigned function as defined in 26 CFR 1.46-3(d). Eligible investments in qualified property as defined in Section 2-201 (f) of the Illinois Income Tax Act shall be considered placed in service on the earlier of

the date the property is placed in a condition of readiness

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF ADOPTED AMENDMENTS

and availability for use; or

the date on which the depreciation period of that property begins. Eligible noncapital and nonroutine investments shall be considered placed in service if eighty percent of the allocated monies have been expended.

(Source: Amended at 14 Ill. Reg. 3445, effective February 27, 1990.)

## Section 520.910 Eligibility Criteria

Eligibility for the tax exemption is contingent on the business located in an enterprise zone making

- a) a minimum eligible investment of \$5 million in an enterprise zone which causes the creation of a minimum of 200 full-time equivalent jobs,
- b) or a minimum eligible investment of \$40 million in an enterprise zone which causes the retention of a minimum of 2,000 full-time jobs in Illinois, or
- c) a minimum eligible investment of \$40,000,000 which causes the retention of at least 90% of the jobs in place on the date on which the exemption is granted for the duration of the exemption.

(Source: Amended at 14 Ill. Reg. 3445, effective February 27, 1990.)

## Section 520.930 Application Review and Approval Process

- a) Applications shall be submitted to the Department which shall approve or deny the application in writing within 30 days of receipt. The application shall be approved if it meets the requirements of Sections 520.910 and 520.920.
- b) In cases when the Department denies an application it shall specify in writing the reasons for denial and shall allow the applicant 15 days to amend and resubmit the application. Resubmitted applications shall be approved or denied in writing within 15 days of receipt.
- c) Applicants determined eligible by the Department, in accordance with Section 520.910, shall be issued a Certificate of Exemption. A copy of the Certificate of Exemption will be filed by the Department with the Illinois Department of Revenue in accordance with Section 1f of the Act.
- d) Businesses approved in accordance with this Section shall furnish

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF ADOPTED AMENDMENTS

to the Department not later than 90 days after the Certificate of Exemption has been issued, financial statements of the business examined by public accountants certified by the State of Illinois, in accordance with generally accepted accounting practices, containing the unqualified opinion of such public accountants that the investments in qualified property have been placed in service. In addition, the Department shall have the right to inspect and conduct its own audit of all books and records relied upon by the business to demonstrate that the eligible investments in qualified property have been placed in service. Certified businesses shall also submit information annually to the Department documenting the maintenance of the minimum job creation or job retention criterion. Certified businesses who fail to comply with this subsection shall be decertified for the tax exemption and shall repay the exempted taxes. The jobs created or retained must be documented through personnel records.

- e) All certified businesses will receive this exemption for a period of five years.

- f) At the expiration of this initial five year period, certified businesses may apply to the Department for renewals of the exemption for additional five-year time periods. The Department shall grant an exemption to a certified business for an additional five-year period provided that at the time of the application for renewal:

- 1) The following job creation/retention criteria are met:

- A) In the case of a business certified pursuant to the job creation criterion of Section 520.910, such business has retained a minimum of 200 full-time equivalent jobs in Illinois; or,
- B) In the case of a business certified pursuant to the job retention criterion of Section 520.910, such business has
  - i) retained a minimum of 2,000 full-time jobs in Illinois, or
  - ii) has made an eligible investment of \$40,000,000 resulting in the retention of 90% of the full-time jobs in place on the date on which the exemption is granted for the duration of the exemption.



## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

## NOTICE OF ADOPTED AMENDMENTS

- C) A majority of the "jobs retained" must be in the Enterprise Zone in which the eligible investment is made.
- 2) Such business is located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act (Ill. Rev. Stat. 1987, ch. 67 1/2, pars. 601 et seq.).
- 3) Such business provides an Audited Financial Statement including balance sheets and income statements audited according to generally accepted auditing standards by a public accountant certified in the State of Illinois. In addition, the firm's chief financial officer shall attest in writing that the firm is not aware of a condition or occurrence which would result in bankruptcy or closure.
- 4) This exemption shall not be allowed beyond the term of the certified Enterprise Zone.

(Source: Amended at 14 Ill. Reg. 3445, effective February 27, 1990.)

## ILLINOIS REGISTER

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Standards of Service for Electric Utilities
- 2) Code Citation: 83 Ill. Adm. Code 410
- 3) Section numbers: Adopted Action:  
410.360 Amendment
- 4) Statutory Authority: Implementing Section 8-301 and authorized by Section 10-101 of The Public Utilities Act (Ill. Rev. Stat. 1987, ch. 111 2/3, pars. 8-301 and 10-101).
- 5) Effective Date of Amendment: March 1, 1990
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: February 22, 1990
- 9) Notice of Proposal Published in Illinois Register:  
October 20, 1989, at 13 Ill. Reg. 16211
- 10) Has JCAR issued a Statement of Objections to this amendment? No.
- 11) Difference(s) between proposal and final version:  
Section 410.360(a): Heading of 47 Ill. Adm. Code 100 corrected.  
Section 410.360(a)(1): Reference to DCCA rules updated to 47 Ill. Adm. Code 100.110(b)(2)(B).  
Section 410.360(a)(1): Subsection (B) of original rule deleted in its entirety. Remaining subsections at that level redesignated accordingly.  
Section 410.360(a)(1)(G): Material in parentheses added.  
Section 410.360(a)(1)(H): Material prior to opening parenthesis rewritten for greater clarity.

## ILLINOIS REGISTER

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## ILLINOIS REGISTER

## ILLINOIS COMMERCE COMMISSION

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## NOTICE OF ADOPTED AMENDMENT

## NOTICE OF ADOPTED AMENDMENT

Section 410.360(a)(2): Reference to DCCA rules updated to 47 Ill. Adm. Code 100.110(b)(1)(B).

Section 410.360(a)(2)(D): Material in parenthesis rewritten for greater clarity.

Section 410.360(a)(2)(F): Material prior to opening parenthesis rewritten for greater clarity.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None required.

- 13) Will this amendment replace an emergency amendment currently in effect? Yes.

- 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of Amendments: 83 Ill. Adm. Code 410, "Standards of Service for Electric Utilities," contains the Commission's rules for the information that must be provided to electric utility customers on bills. Section 410.360 specifies the information that must be provided to low-income customers participating in the Illinois Residential Affordable Payment Program ("IRAPP"). Through the operation of Section 4.1(3) of the Energy Assistance Act, added by the Energy Assistance Act of 1989 ("Act") (P.A. 86-127, effective August 2, 1989), no assistance shall be provided pursuant to the Energy Assistance Act after October 31, 1989. Under the Act, a new energy assistance program administered by the Department of Commerce and Community Affairs ("Department") is to be in operation by November 1, 1989. The Department's program has two classes of participants, the AFDC participants and the Block Grant participants (the former IRAPP participants). This division corresponds to the requirements of Section 6 of the Act.

With the creation of the new program, it is necessary to amend Section 410.360 to reflect the new information which must be given in the bills issued to the participants in the Department's program.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Conrad Rubinkowski  
Illinois Commerce Commission  
527 East Capitol Avenue  
P.O. Box 19280  
Springfield, IL 62794-9280  
(217)785-8439

The full text of the Adopted Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION  
NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER C: ELECTRIC UTILITIES

PART 410  
STANDARDS OF SERVICE FOR ELECTRIC UTILITIES

SUBPART A: GENERAL

Section	Authorization
410.10	Application
410.20	Exemptions or Deviations in Particular Cases
410.30	Saving Clause
410.40	

SUBPART B: STANDARDS OF SERVICE

Section	Records and Reports
410.110	Meter Records
410.120	Customer Meter Test Records
410.130	Station Records
410.140	Complaints
410.150	Interruptions of Service
410.160	Location of Meters
410.170	Separate Metering
410.175	Testing Facilities and Equipment
410.180	Customer Meter Test Loads
410.190	Customer Watthour Meter Accuracy Requirements
410.200	Customer Demand Meter Accuracy Requirements
410.210	Initial Tests
410.220	Periodic Test of Customer Meters
410.230	Meter Tests Requested by Customer
410.240	Commission Referee Tests
410.250	Adjustments of Bills for Meter Error
410.260	Installation Inspections
410.270	Voltage Regulation
410.280	Voltage Surveys
410.290	Standard Frequency
410.300	Grounding of Secondaries
410.310	Service Drops
410.320	Extension of Lines in Urban Area
410.330	Extension of Lines in Rural Areas
410.340	Information to Customers
410.350	Information to <u>IRAPP REAPP</u> Customers
410.360	

ILLINOIS COMMERCE COMMISSION  
NOTICE OF ADOPTED AMENDMENT

AUTHORITY: Implementing Section 8-301 and authorized by Section 10-101 of The Public Utilities Act (Ill. Rev. Stat. 1987, ch. 111 2/3, pars. 8-301 and 10-101).

SOURCE: Effective August 1, 1948; amended at 5 Ill. Reg. 6805, effective June 12, 1981; codified at 8 Ill. Reg. 12183, amended at 10 Ill. Reg. 148, effective December 23, 1985; amended at 11 Ill. Reg. 8964, effective May 1, 1987; emergency amendment at 13 Ill. Reg. 16563, effective October 10, 1989, for a maximum of 150 days; amended at 14 Ill. Reg. 3454, effective March 1, 1990.

NOTE: Capitalization or italics denote statutory language.

Section 410.360 Information to IRAPP REAPP Customers

- a) In accordance with 83 47 Ill. Adm. Code 281 100, ~~"Energy-Assistance, "Residential Energy Assistance Partnership Program,"~~ bills rendered periodically for metered service to those customers who are participants in the ~~Illinois-Residential-Affordable-Payment-Program~~ Residential Energy Assistance Partnership Program (IRAPP "REAPP" or "Program") shall contain information in addition to that already set forth in Section 410.350. Definitions for the terms used in the remainder of this Section are found in 83 47 Ill. Adm. Code 281-15 100. ~~the following additional information shall clearly be shown:~~

- 1) ~~The total amount that a customer must pay to remain a participant in IRAPP and those portions that make it up. For those customers participating under 47 Ill. Adm. Code 100.110(b)(2)(B), the following additional information shall clearly be shown listed vertically for easy readability:~~

- A) The payment amount for the primary source of heat and secondary utility service calculated at 12% of a ~~customer's~~ customer's household's income where the utility provides both services; the payment amount for the primary source of heat calculated at 8% of a ~~customer's~~ customer's household's income where the utility provides only the primary source of heat; or the payment amount for secondary utility service calculated at 4% of a ~~customer's~~ customer's household's income where the utility provides only secondary service;



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- B) During the heating season, December 1 through April 30, the following statement must appear on the bills of all IRAPP customers:

In the months of December through April, you must pay your IRAPP amount."

During the non-heating season, May 1 through November 30, the following statement must appear on the bills of all IRAPP customers:

"In the months of May through November, you must pay whichever is higher--your IRAPP amount or the current utility charges."

- Be) The deposit installment due in cases where a utility requires a deposit;

i) In cases where the requirement for the deposit installment due would place an undue burden (See Section 410-350(a)(2)(B)) upon the utility, the following statement must appear on the regular bills of all IRAPP customers:

"You may receive a bill requesting a deposit that you owe--As an IRAPP customer, you must pay the requested deposit installment to remain on IRAPP."

ii) In addition to the preceding statement on all regular bills of IRAPP customers, the following statement must appear on the deposit bills of all IRAPP customers:

As an IRAPP customer, you must pay the requested deposit installment to remain on IRAPP."

- C) The customer's required payment toward any outstanding pre-program arrears;

- D) For bills issued on or after November 1, 1991, the current payment due for above average use;

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- BE) The unpaid previous balance (the amounts that was due as a program obligation outlined above in subsections (a)(1)(A)-(D) that were due and not paid) and;

- EE) The total amount due to stay on the program;

- GL) The current month's REAPP shortfall (the difference between the participant's actual bill and the REAPP payment due) reflected as either a credit to the customer's account or a credit to the State of Illinois;

- HL) Any payment towards pre-program arrears made by the State of Illinois (this amount shall be reflected only on the bill corresponding to the month in which credit is received) and;

- IL) The current arrearage balance to date.

- 2) Upon receipt by the utility of any Illinois Home Energy Assistance Program (IHEAP), grant for a customer, the total dollar amount of the IHEAP grant received, and a statement that this amount has been applied to his shortfall and/or arrearages;

- 3) The total amount that a customer owes but does not have to pay to remain a participant in IRAPP and those portions that make it up, listed vertically for easy readability;

- A) above average energy use information, which consists of the above average energy use balance brought forward, the current payment due for above average energy use, and the total payment due for above average energy use;

- B) the deferred payment arrangement installment which is based on arrearages prior to becoming a participant on the program; and

- e) the arrearage balance to date;

## ILLINOIS COMMERCE COMMISSION

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4) ~~Shortfall-information, which consists of:~~

- A) ~~the shortfall-balance-brought-forward;~~
- B) ~~the current-shortfall-amount; and~~
- C) ~~the shortfall-balance-to-date.~~

2) ~~For those customers participating under 47 Ill. Adm. Code 100.110(B)(1)(B), the following additional information shall clearly be shown listed vertically for easy readability:~~

- A) ~~The amount of the current month's REAPP benefit applied;~~
- B) ~~The deposit installment due in cases where a utility requires a deposit;~~
- C) ~~The customer's required payment toward any outstanding pre-program arrears;~~
- D) ~~The unpaid previous balance (amounts required to stay on the program that were due and not paid);~~
- E) ~~The total amount due to stay on the program;~~
- F) ~~Any payment towards pre-program arrears made by the State of Illinois (the amount shall be reflected only on the bill corresponding to the month in which credit is received) and;~~
- G) ~~The current arrearage balance to date.~~

b) All utilities shall file with the Commission a proposed tariff under Section 9-201 of The Public Utilities Act which contains a bill form complying with the requirements of subsection (a) by July 1, 1987-to-be used-in-the-billing-cycle-one-month-after-approval within 30 days after the effective date of this amendment.

c) In cases where the requirements of this Section would place an undue burden upon small utilities, "small" being defined as those utilities serving 15,000 or fewer customers in the State of Illinois, a utility may file with the Commission, in accordance with 83 Ill.

Adm. Code 200, a petition for approval of an alternative proposed form of billing. In deciding whether to approve an alternative form of billing, the Commission will weigh the cost of adding the information against the small utility's operating budget. In the event that the utility serves more than half of its customers in another state, the alternative proposed form of billing may take the form of the bill used in the other state, provided that this bill contains substantially the same information required in subsection (a). Otherwise, this proposed form of billing shall include such information set forth in subsection (a) as can reasonably be placed on such a bill. In determining what information can reasonably be placed on such a bill, the Commission shall consider:

- 1) The benefit to customers of including various types of information, and
- 2) The cost of providing these types of information to customers.

(Source: Amended at 14 Ill. Reg. 3454, effective March 1, 1990)

## ILLINOIS REGISTER

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Standards of Service for Gas Utilities
- 2) Code Citation: 83 Ill. Adm. Code 500
- 3) Section numbers: Adopted Action:  
500.335 Amendment
- 4) Statutory Authority: Implementing Section 8-301 and authorized by Section 10-101 of The Public Utilities Act (Ill. Rev. Stat. 1987, ch. 111 2/3, pars. 8-301 and 10-101).
- 5) Effective Date of Amendment: March 1, 1990
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference?  
No.
- 8) Date Filed in Agency's Principal Office: February 22, 1990
- 9) Notice of Proposal Published in Illinois Register:  
October 20, 1990, at 13 Ill. Reg. 16219
- 10) Has JCAR issued a Statement of Objections to this amendment?  
No.
- 11) Difference(s) between proposal and final version:  
Section 500.335(a): Heading of 47 Ill. Adm. Code 100 corrected.  
Section 500.335(a)(1): Reference to DCCA rules updated to 47 Ill. Adm. Code 100.110(b)(2)(B).  
Section 500.335(a)(1): Subsection (B) of original rule deleted in its entirety. Remaining subsections at that level redesignated accordingly.  
Section 500.335(a)(1)(G): Material in parentheses added.  
Section 500.335(a)(1)(H): Material prior to opening parenthesis rewritten for greater clarity.

## ILLINOIS REGISTER

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- Section 500.335(A)(2): Reference to DCCA rules updated to 47 Ill. Adm. Code 100.110(b)(1)(B).
- Section 500.335(a)(2)(D): Material in parentheses rewritten for greater clarity.
- Section 500.335(a)(2)(F): Material prior to opening parenthesis rewritten for greater clarity.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
None required.
- 13) Will this amendment replace an emergency amendment currently in effect? Yes.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments: 83 Ill. Adm. Code 500, "Standards of Service for Gas Utilities," contains the Commission's rules for the information that must be provided to electric utility customers on bills. Section 500.355 specifies the information that must be provided to low-income customers participating in the Illinois Residential Affordable Payment Program ("IRAPP"). Through the operation of Section 4.1(3) of the Energy Assistance Act, added by the Energy Assistance Act of 1989 ("Act") (P.A. 86-127, effective August 2, 1989), no assistance shall be provided pursuant to the Energy Assistance Act after October 31, 1989. Under the Act, a new energy assistance program administered by the Department of Commerce and Community Affairs ("Department") is to be in operation by November 1, 1989. The Department's program has two classes of participants, the AFDC participants and the Block Grant participants (the former IRAPP participants). This division corresponds to the requirements of Section 6 of the Act.  
  
With the creation of the new program, it is necessary to amend Section 500.335 to reflect the new information which must be given in the bills issued to the participants in the Department's program.



## ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 16) Information and questions regarding this adopted amendment shall be directed to:

Conrad Rubinkowski  
Illinois Commerce Commission  
527 East Capitol Avenue  
P.O. Box 19280  
Springfield, IL 62794-9280  
(217)785-8439

The full text of the Adopted Amendment begins on the next page:

## ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER d: GAS UTILITIES

PART 500  
STANDARDS OF SERVICE FOR GAS UTILITIES

SUBPART A: PRELIMINARY

Section	
500.10	Authorization
500.20	Application
500.30	Exemptions or Deviations in Particular Cases
500.40	Saving Clause

SUBPART B: STANDARDS OF SERVICE

Section	
500.110	Records and Reports
500.120	Customer Meter History Records
500.130	Customer Meter Test Records
500.140	Plant Records
500.150	Complaints
500.160	Interruptions of Service
500.170	Location of Service Meters
500.180	Testing Facilities and Equipment
500.190	Customer Meter Accuracy Requirements
500.200	Customer Meter Test Loads
500.210	Periodic Tests of Customer Meters
500.215	Sample Testing of Meters
500.220	Meter Tests Requested by Customers
500.230	Commission Referee Tests
500.240	Adjustment of Bills for Meter Error
500.250	Installation Inspection
500.260	Pressure Regulation
500.270	Pressure Surveys
500.280	Heating Value and Calorimeter Equipment
500.290	Purity of Gas
500.300	Odorization of Gas
500.310	Extension of Distribution Mains in Urban Areas
500.320	Extension of Distribution Mains in Rural Areas
500.330	Information to Customers
500.335	Information to <del>IRAPP</del> REAPP Customers
500.340	Maintenance and Replacement of Service Pipes

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

**AUTHORITY:** Implementing Section 8-301 and authorized by Section 10-101 of The Public Utilities Act (Ill. Rev. Stat. 1987, ch. 111 2/3, pars. 8-301 and 10-101).

**SOURCE:** Filed and effective August 1, 1965; codified at 8 Ill. Reg. 7606; amended at 8 Ill. Reg. 14960, effective September 1, 1984; amended at 10 Ill. Reg. 154, effective December 23, 1985; amended at 11 Ill. Reg. 8976, effective May 1, 1987; emergency amendment at 13 Ill. Reg. 16571, effective October 10, 1989, for a maximum of 150 days; amended at 14 Ill. Reg. 3463, effective March 1, 1990.

**NOTE:** Capitalization or italics denote statutory language.

## Section 500.335 Information to IRAPP REAPP Customers

- a) In accordance with 83 47 Ill. Adm. Code 281 100, "Energy Assistance," "Residential Energy Assistance Partnership Program," bills rendered periodically for metered service to those customers who are participants in the Illinois Residential Affordable Payment Program Residential Energy Assistance Partnership Program ("IRAPP" "REAPP" or "program") shall contain information in addition to that already set forth in Section 500.330. Definitions for the terms used in the remainder of this Section are found in 83 47 Ill. Adm. Code 281-15 100. The following additional information shall clearly be shown:

- 1) The total amount that a customer must pay to remain a participant in IRAPP and these portions that make it up: For those customers participating under 47 Ill. Adm. Code 100.110(b)(2)(B), the following additional information shall clearly be shown listed vertically for easy readability:

- A) The payment amount for the primary source of heat and secondary utility service calculated at 12% of a customer's household's income where the utility provides both services; the payment amount for the primary source of heat calculated at 8% of a customer's household's income where the utility provides only the primary source of heat; or the payment amount for secondary utility service calculated at 4% of a customer's household's income where the utility provides only secondary utility service;

## ILLINOIS COMMERCE COMMISSION

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- B) During the heating season, December 1 through April 30, the following statement must appear on the bills of all IRAPP customers:

"In the months of December through April, you must pay your IRAPP amount."

During the non-heating season, May 1 through November 30, the following statement must appear on the bills of all IRAPP customers:

"In the months of May through November, you must pay whichever is higher your IRAPP amount or the current utility charges."

- Bc) The deposit installment due in cases where a utility requires a deposit;

i) In cases where the requirement for the deposit installment due would place an undue burden (See Section 500.330 (a)(2)(B)) upon the utility, the following statement must appear on the regular bills of all IRAPP customers:

"You may receive a bill requesting a deposit that you owe. As an IRAPP customer, you must pay the requested deposit installment to remain on IRAPP."

ii) In addition to the preceding statement on all regular bills of IRAPP customers, the following statement must appear on the deposit bills of all IRAPP customers:

"As an IRAPP customer, you must pay the requested deposit installment to remain on IRAPP."

- C) The customer's required payment toward any outstanding pre-program arrears;

- D) For bills issued on or after November 1, 1991, the current payment due for above average use;

## ILLINOIS COMMERCE COMMISSION

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- DE) The unpaid previous balance (the amounts that was due as a program obligation outlined above in subsections (a) (1) (A) - (D) that were due and not paid); and
- EE) The total amount due to stay on the program;
- G) The current month's REAPP shortfall (the difference between the participant's actual bill and the REAPP payment due) reflected as either a credit to the customer's account or a credit to the State of Illinois;
- H) Any payment towards pre-program arrears made by the State of Illinois (this amount shall be reflected only on the bill corresponding to the month in which credit is received) and;
- I) The current arrearage balance to date.
- 2) Upon receipt by the utility of any Illinois Home Energy Assistance Program ("IHEAP") grant for a customer, the total dollar amount of the IHEAP grant received, and a statement that this amount has been applied to his shortfall and/or arrearages;
- 3) The total amount that a customer owes but does not have to pay to remain a participant in IRAPP and those portions that make it up, listed vertically for easy readability;
- A) above average energy use information, which consists of the above average energy use balance brought forward, the current payment due for above average energy use, and the total payment due for above average energy use;
- B) the deferred payment arrangement installment which is based on arrearages prior to becoming a participant on the program; and
- C) the arrearage balance to date;
- 4) Shortfall information, which consists of:
- A) ~~the shortfall balance brought forward;~~

## ILLINOIS COMMERCE COMMISSION

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- B) ~~the current shortfall amount; and~~
- C) ~~the shortfall balance to date.~~
- 2) For those customers participating under 47 Ill. Adm. Code 100.110(b)(1)(B), the following additional information shall clearly be shown listed vertically for easy readability:
- A) The amount of the current month's REAPP benefit applied;
- B) The deposit installment due in cases where a utility requires a deposit;
- C) The customer's required payment toward any outstanding pre-program arrears;
- D) The unpaid previous balance (amounts required to stay on the program that were due and not paid);
- E) The total amount due to stay on the program;
- F) Any payment towards pre-program arrears made by the State of Illinois (the amount shall be reflected only on the bill corresponding to the month in which credit is received) and;
- G) The current arrearage balance to date.
- b) All utilities shall file with the Commission a proposed tariff under Section 9-201 of The Public Utilities Act which contains a bill form complying with the requirements of subsection (a) by July 1, 1997, ~~to be used in the billing cycle one month after approval within 30 days after the effective date of this amendment.~~
- c) In cases where the requirements of this Section would place an undue burden upon small utilities, "small" being defined as those utilities serving 15,000 or fewer customers in the State of Illinois, a utility may file with the Commission, in accordance with 83 Ill. Adm. Code 200, a petition for approval of an alternative proposed form of billing. In deciding whether to approve an alternative form of billing, the Commission will weigh



## ILLINOIS COMMERCE COMMISSION

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the cost of adding the information against the small utility's operating budget. In the event that the utility serves more than half of its customers in another state, the alternative proposed form of billing may take the form of the bill used in the other state, provided that this bill contains substantially the same information required in subsection (a). Otherwise, this proposed form of billing shall include such information set forth in subsection (a) as can reasonably be placed on such a bill. In determining what information can reasonably be placed on such a bill, the Commission shall consider:

- 1) The benefit to customers of including various types of information, and
- 2) The cost of providing these types of information to customers.

(Source: Amended at 14 Ill. Reg. 3463, effective March 1, 1990)

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Disadvantaged Students Funds Plan -- Districts Over 50,000 ADA
- 2) Code Citation: 23 Ill. Adm. Code 202
- 3) Section Number:

202.10	<u>Adopted Action:</u>
202.20	New Section
202.30	New Section
202.40	New Section
202.50	New Section
202.60	New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1988 Supp., ch. 122, par 18-8(A)(5)(i)(1)
- 5) Effective Date of Rules: February 27, 1990
- 6) Does this rulemaking contain an automatic repeal date?  

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
- 7) Does this Amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 28, 1990
- 9) Notice of Proposal Published in Illinois Register:  

August 25, 1989, 13 Ill. Reg. 13369
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version:
  - a) In the definition of "expenditure plan" in Section 202.10, the reference to Section 202.30 was inserted in lieu of listing of the funds.
  - b) References to "on or before" December 1 were deleted.
  - c) The first sentence of the definition of "Regular and Basic Program," and the first sentence of Section 202.20(a) were redrafted.
  - d) Subsections 1) and 2) were added to Section 202.60(b).

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this Rule replace an emergency Rule currently in effect?  
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules:

These rules affect the Chicago public schools. Section 18-8(A)(5)(i)(1) of The School Code requires that the Chicago Board of Education submit an annual plan to the State Board of Education describing how the Chicago Board of Education will use those State aid funds which are intended to serve the educational needs of disadvantaged children (referred to as "State Chapter 1 funds"). Public Act 85-1418 made major revisions in Section 18-8(A)(5)(i)(1). In response, the State board is repealing its current rules governing Chicago's State Chapter 1 Plan and adopting these new rules.

The new rules set forth the various definitions needed to ensure that plans incorporate and reflect the eventual expenditure of State Chapter 1 funds for supplemental programs only, as required by P.A. 85-1418 (see Section 20-2.10). This section differentiates for the first time between "regular and basic" programs and "supplemental" programs, a distinction which is necessary to carry out the intent of the law. Section 202.20 describes the procedures and timelines for filing the plans. The required plan content is set forth in Section 202.30, including the display of calculations demonstrating that proposed allocations of funds meet the law's requirements.

Section 202.40 contains the rules applying to the State Board's approval of the plans, and Section 202.50 describes the enforcement procedures to be followed if plans are not submitted, modified, or approvable in accordance with the other applicable rules. Section 202.60 describes the monitoring approach to be used by the Board.

- 16) Information and questions regarding this adopted rule shall be directed to:

Name: Jon Healy  
Address: Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777  
Telephone: (217) 782-4980

The full text of the Adopted Rules begins on the next page:

## STATE BOARD OF EDUCATION

## STATE BOARD OF EDUCATION

## NOTICE OF ADOPTED RULES

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## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER e: INSTRUCTION

## PART 202

DISADVANTAGED STUDENTS FUNDS PLAN--DISTRICTS OVER  
50,000 ADA

## Section

202.10 Definitions

202.20 Filing the Plan

202.30 Plan Contents

202.40 Plan Approval Procedures and Standards

202.50 Enforcement Procedures

202.60 Quarterly Expenditure Reports and Site Visits

## AUTHORITY: Implementing and authorized by Section

18-8(A)(5)(i)(1) of The School Code (Ill. Rev. Stat. 1988 Supp.,  
ch.122, par. 18-8(A)(5)(i)(1), as amended by P.A. 86-213, effective  
August 14, 1989).

SOURCE: Adopted at 3 Ill. Reg. 32, p. 26, effective August 10,  
1979; emergency amendment at 5 Ill. Reg. 1325, effective November  
17, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 6215,  
effective May 19, 1982; codified at 8 Ill. Reg. 536; amended at 10  
Ill. Reg. 12769, effective July 11, 1986; Part repealed, new Part  
adopted by emergency action at 13 Ill. Reg. 13664, effective August  
15, 1989, for a maximum of 150 days; Part repealed, new Part  
adopted at 14 Ill. Reg. 3472, effective February 27, 1990.

## Section 202.10 Definitions

"Count" means a census taken by the District at each  
attendance center on the twentieth day of the school year  
for which the Plan required by this Part is applicable.  
The count shall determine the number of students enrolled  
at each attendance center in the District and shall be  
used for the purpose of calculating each attendance  
center's entitlement to Nontargeted State Chapter 1  
Funds.

"District" means any school district with an average  
daily attendance of 50,000 or more.

"Enrolled" means that a student has taken all steps  
required by the District to register at an attendance

center and by such registration is eligible to  
participate in the educational program offered at the  
attendance center.

"Expenditure Plan" means the plan prepared by the  
principal of each attendance center in the District and  
approved by that center's Local School Council as  
authorized by Section 34-2.3(4) of The School Code. In  
order that the District can meet its responsibilities  
pursuant to this Part, an expenditure plan must at least  
contain the following elements:

A list of the attendance center's regular and basic  
programs as defined herein;

A list of the attendance center's supplemental  
programs as defined herein;

A table showing the total cost for each regular and  
basic program and each supplemental program and the  
proportions of the total cost for each program  
attributed to one or more of the sources cited in  
Section 202.30(c)(4) and (5).

"Nontargeted State Chapter 1 Funds" means the amount of  
State aid provided under subsection 1(n) of Section 18-  
8(A) of The School Code by the application of the Chapter  
1 weighting factor in excess of .375 as modified by  
Section 18-8(A)(5)(i)(1)(a) and required to be  
distributed only to attendance centers within the  
District in proportion to the total enrollment at each  
attendance center during the plan year.

"Plan" means the proposed use of State Chapter 1 Funds as  
set forth in a Plan to Meet the Educational Needs of  
Disadvantaged Students.

"Plan Year" means the school year for which a Plan has  
been submitted as required by Section 18-8(A)(5)(i)(1)(d)  
of The School Code.

"Program" means, as stated in 23 Ill. Adm. Code  
110.50(c)(11) (Program Accounting Manual), "a group of  
interdependent, closely related services and/or  
activities progressing toward or contributing to a common  
objective or set of allied objectives." For each program  
identified pursuant to this Part as a regular and basic



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or supplemental program the District must establish and maintain descriptive information which links the total cost of each program to statements of what service(s) are provided (e.g., kindergarten); to or for whom the service(s) are provided (e.g., number of students); and at what level of intensity (e.g., adult/student ratio).

"Program and Cost Allocation Matrix" means that portion of the Plan required to be submitted to the State Board of Education which includes the information set forth in Section 202.30(c).

"Regular and Basic Program" means any program as defined above that is generally available to students in District attendance centers of the same type (e.g., elementary, secondary, vocational, magnet) and similar size or which is made available to some students in some attendance centers in the District through a categorical program because of their special needs (e.g., handicapped students, bilingual students). Regular and basic programs include all those the District is required to provide pursuant to the provisions of 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision), and others such as administrative services and support services (e.g., counseling, custodial). For the purposes of this Part, the term "regular and basic program" includes each uniquely identified program or service provided at an attendance center that has its total costs paid from funds other than the State Chapter 1 Funds required to be distributed only to attendance centers for supplemental programs under the provisions of Section 18-8(A)(5)(i)(1)(a) of The School Code.

"State Chapter 1 Eligible Pupils" means those students enrolled at an attendance center in the District who were eligible to receive free or reduced price lunches or breakfasts under the Child Nutrition Act of 1966, as amended (42 U.S.C. 1771 et seq.), and under the National School Lunch Act, as amended (42 U.S.C. 1751 et seq.), during the school year preceding the plan year.

"State Chapter 1 Funds" means the total amount of money generated in a plan year by application of the provisions contained in Section 18-8(A)(1)(n) of The School Code.

"Supplemental Program" means any uniquely identified program or service that:

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is provided only at an attendance center;

is listed in Section 18-8(A)(5)(i)(1)(c) of The School Code and approved as required therein by a Local School Council as established by Section 34-2.1 of The School Code; or

will, in the opinion of a Local School Council, be educationally beneficial as evidenced by the Council's approval of the expenditure plan including the supplemental program's title and costs pursuant to the power granted to each Local School Council in Section 34-2.3(4) of The School Code;

is paid for in whole from the State Chapter 1 Funds required by Section 18-8(A)(5)(i)(1)(c) of The School Code to be spent only on such programs; and

is included in the supplemental programs identified in the Plan submitted to and approved by the State Board of Education pursuant to the provisions of Section 18-8(A)(5)(i)(1)(d) of The School Code and of this Part.

"Targeted State Chapter 1 Funds" means the amount of State aid provided under subsection (1)(n) of Section 18-8(A) of The School Code by the application of the Chapter 1 weighting factor of .375 as modified by Section 18-8(A)(5)(i)(1)(a) of The School Code and required to be distributed only to the attendance centers within the District in proportion to the number of State Chapter 1 eligible pupils who were enrolled in such attendance centers during the school year preceding the plan year.

"The School Code" means The School Code (Ill. Rev. Stat. 1987, ch. 122, pars. 1-1 et seq.).

## Section 202.20 Filing the Plan

- a) The District shall describe its proposed use of State Chapter 1 Funds in a Plan showing that insofar as possible priority is given to meeting the educational needs of disadvantaged students through the use of supplemental programs. The Plan must be submitted to the State Board of Education before December 1 annually. The

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Plan will be effective for the school year in which it is required to be submitted.

- b) The District shall submit five (5) copies of the Plan (one of which is in an electronic medium) before December 1.

- 1) Three (3) copies, one (1) of which is in an electronic medium, shall be submitted to the:

State Superintendent of Education  
State Board of Education  
100 North First Street  
Springfield, Illinois 62777-0001

- 2) Two (2) copies shall be submitted to the:

Assistant Superintendent  
State Board of Education  
Chicago Regional Office  
State of Illinois Center  
100 West Randolph Street, Suite 14-300  
Chicago, Illinois 60601

- c) A Plan shall be deemed to have been submitted before the date specified in subsection (a) when:

- 1) it has been delivered by the U.S. Postal Service to the Chicago or Springfield office of the State Board of Education and bears a postmark date before December 1 of the year for which it is applicable, or
- 2) it has been delivered to the Chicago or Springfield office of the State Board of Education by messenger or similar means on any day before the close of business (5:00 p.m.) prior to December 1 of the year for which it is applicable.

## Section 202.30 Plan Contents

The Plan shall be presented in accordance with the format given in this Section and shall include the information and assurances specified herein.

- a) Letter of Transmittal

The Plan shall include a letter of transmittal signed by the Superintendent of the District and including a statement of the school year for which the Plan is being submitted and a statement that the board of education of the District has formally adopted a motion approving the Plan and authorizing its transmittal to the State Board of Education.

## b)

- Districtwide Program Data, Calculations and Allocations

The Plan shall include calculations, based upon the formulas and procedures applicable to the plan year as specified in Section 18-8(A)(5)(i)(1) of The School Code, showing:

- 1) A count of all enrolled students in each attendance center on the twentieth school day of the school year;
- 2) A count of all enrolled State Chapter 1 Eligible Pupils in each attendance center in the prior school year determined at the end of June;
- 3) The amount of the per pupil expenditure for each attendance center in the prior school year and the amount of the per pupil expenditure to be provided each attendance center in the plan year;
- 4) The amount of the State Chapter 1 Funds provided to each attendance center in the prior school year;
- 5) The amount of all other funds provided to each attendance center in the prior school year;
- 6) The total amount of State Chapter 1 Funds made available by application of the weighting formula in Section 18-8(a)(1)(n) of The School Code;
- 7) The proportion (which may not exceed the proportion allowed by law) of the total given for subsection (b)(6) which is set aside and appropriated by the District for the purpose of providing desegregation programs and related transportation for students, and the remainder resulting therefrom;
- 8) The amounts resulting from separating the remainder calculated in subsection (b)(7) into



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- A) the amount which represents Nontargeted State Chapter 1 Funds,
- B) the amount which represents Targeted State Chapter 1 Funds, and
- C) the amount of the State Chapter 1 Funds required to be expended only on supplemental programs as defined in Section 202.10;
- 9) For each attendance center in the plan year, the calculations needed to demonstrate that
- A) its average per pupil expenditure (i.e., from all funds) for the plan year will not be less than ninety percent (90%) of the same average for the preceding school year, and
- B) its allocation includes the amount needed to replace any loss due to the redistribution of State Chapter 1 funding as required by Section 18-8(A)(5)(i)(1)(b) of The School Code, and any shortfall resulting from the District's failure to distribute State aid to the attendance center in accordance with the Plan approved for the preceding school year, and
- C) its allocation includes an amount equal to the center's unexpended allocation from the preceding school year; and
- 10) A list of all regular and basic programs identified by the District as conforming to the definition of such programs set forth in Section 202.10, and which the District has required attendance centers to treat as regular and basic programs in their expenditure plans.
- c) Program and Cost Allocation Matrix
- The Plan shall include a program and cost allocation matrix that shows for the plan year at each attendance center in the District:
- 1) its total budget allocation from all sources other than Section 18-8(A)(1)(n) of The School Code;

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- 2) its total budget allocation attributable to the application of the distribution formula and applicable schedules provided in Section 18-8(A)(5)(i)(1)(a) and (c) of The School Code;
- 3) the amounts resulting from separating the total given in subsection (c)(2) into
- A) the amount which represents Nontargeted State Chapter 1 Funds,
- B) the amount which represents Targeted State Chapter 1 Funds,
- C) the amount of the State Chapter 1 Funds required to be expended only on supplemental programs as defined in Section 202.10;
- 4) the amount and proportion of the total cost of all regular and basic programs, and of all supplemental programs at the attendance center which are attributable to
- A) all sources, including categorical funds as a subset, other than Section 18-8(A)(1)(n) of The School Code,
- B) Targeted and Nontargeted State Chapter 1 funds used for programs other than supplemental programs,
- C) State Chapter 1 funds for supplemental programs;
- 5) the code and its accompanying narrative description which is established by the District to provide a unique descriptor for
- A) each attendance center and its expenditure plan,
- B) the subset of all regular and basic programs within the attendance center's expenditure plan,



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- C) the subset of all supplemental programs within the attendance center's expenditure plan, and
- D) the amounts and proportions of program costs established pursuant to subsection (c)(4) as applied to subsections (5)(B) and (C).

## d) Assurances

The Plan shall include a statement of assurances that the District has records which demonstrate that

- 1) its Plan conforms to the requirements of Sections 18-8(A)(1)(n) and 18-8(A)(5)(i) of The School Code and of this Part;
- 2) it has reviewed the expenditure plan of each attendance center to ensure that
  - A) the allocation of funding by sources and amounts to regular and basic programs and to supplemental programs conforms to the requirements of Section 18-8(A)(5)(i)(1)(a) of The School Code and of this Part,
  - B) each program identified as regular and basic or supplemental conforms to the applicable definition in Section 202.10,
  - C) each expenditure plan has been approved by the Local School Council as authorized by Section 34-2.1 of The School Code;
- 3) the program and cost allocation matrix developed pursuant to subsection (c) is consistent with the decisions of Local School Councils as reflected in the expenditure plans they have approved pursuant to Section 34-2.3 of The School Code;
- 4) no portion of a supplemental program included in the expenditure plan of any attendance center for the plan year and supported with State Chapter 1 Funds required to be spent only on such programs has ever been identified as a regular and basic program; and

- 5) the funds identified as appropriated and set aside for the provision of desegregation programs and related transportation will be so spent.

## Section 202.40 Plan Approval Procedures and Standards

- a) The State Board of Education will, within thirty (30) days of receipt of the Plan, adopt a motion to accept or reject said Plan based upon the standards set forth in subsection (b). This action shall include a statement of the modifications necessary to the subsequent approval of any Plan which is rejected.
- b) Standards

Each Plan received as required by Section 202.20 will be analyzed to determine that it

- 1) has been submitted in the form and contains the components specified in Section 202.30;
- 2) includes the statements of transmittal and of assurances required in Sections 202.30(a) and 202.30(d);
- 3) includes formulas, calculations, allocations, data elements and other descriptive information which are accurate and applicable to the plan year; and
- 4) includes sufficient descriptive information and other data to enable the State Board of Education to determine that the Plan does not propose to use State Chapter 1 Funds in any manner or for any purposes other than those authorized by Section 18-8(A) of The School Code and by this Part.

## Section 202.50 Enforcement Procedures

- a) The Regional Superintendent having supervision over the District and the District Superintendent shall receive written notification from the State Board of Education that
  - 1) the District has not submitted a Plan before December 1 of the year for which a Plan is required; or

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- 2) the District has failed to submit a modified Plan within forty-five (45) days of its notification of the rejection of a Plan pursuant to Section 202.40; or
  - 3) the State Board of Education has rejected a modified Plan; or
  - 4) the State Board of Education has approved a Plan or modified Plan.
- b) Upon receipt of a notification pursuant to subsection (a), the Regional Superintendent shall withhold or transmit the Targeted and Nontargeted State Chapter 1 funds affected by the Plan or modified Plan as specified in the notification. During any period in which funds are withheld, the Regional Superintendent shall invest such funds in the manner provided in "AN ACT relating to certain investments of public funds by public agencies" (Ill. Rev. Stat. 1987, ch. 85, pars. 901 et seq.) and shall transmit the funds and all accrued interest to the District upon receipt of written notification from the State Board of Education that the Board has approved the District's Plan.
- c) All written notifications sent pursuant to this section shall be sent by certified U.S. mail, return receipt requested. The date of receipt of notification shall be deemed to be the date of delivery entered upon the return receipt.

Section 202.60 Quarterly Expenditure Reports and Site Visits

- a) The District shall submit three (3) copies of an expenditure report which includes a school year update for the information required in Section 202.30(b)(3) and (c) for the periods ending November 30, the last day of February, May 31, and August 31. The quarterly expenditure reports shall be submitted to the State Superintendent of Education within 30 days of the end of each reporting period.
- b) State Board of Education staff will use the reports received pursuant to subsection (a) in conjunction with visits to at least fifteen percent (15%) of the attendance centers in the District during each Plan Year. Such visits shall be for the purpose of determining that

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- attendance center programs and expenditures conform to those set forth in the Plan approved by the State Board of Education.
- 1) Attendance centers will be selected for visitation on the basis of an annual random sampling procedure designed
  - A) to ensure that each attendance center in the District is visited during a consecutive seven-year period (i.e., a cycle); and
  - B) to eliminate any attendance center already visited in a given cycle.
- 2) In addition to the cycle of visits set forth above, State Board of Education staff reserve the right to visit any attendance center in the District whenever such action is needed to ensure that attendance center programs and expenditures conform to those set forth in the Plan approved by the State Board of Education.
  - c) If the analyses of expenditure reports and/or the visits conducted pursuant to subsection (b) produce evidence that the District has failed to distribute State Chapter 1 Funds as required in its approved Plan, then the Plan for the following year shall allocate funds in addition to those otherwise required by Section 18-8(A)(5)(i)(1)(a) of The School Code to each affected attendance center in amounts at least equal to such underfunding.

- 1) The Heading of the Part: Disadvantaged Students Funds Plan  
-- Districts Over 50,000 ADA
- 2) Code Citation: 23 Ill. Adm. Code 202
- 3) Section Number:  
202.10 Adopted Action:  
202.20 Repeal  
202.30 Repeal  
202.40 Repeal  
202.50 Repeal  
202.60 Repeal  
202.70 Repeal
- 4) Statutory Authority: Ill. Rev. Stat. 1988 Supp., ch. 122,  
par. 18-8(A)(5)(i)(1)
- 5) Effective Date of Repealer: February 27, 1990
- 6) Does this rulemaking contain an automatic repeal date? Yes  
X No
- 7) Does this Repealer contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 28, 1990
- 9) Notice of Proposal Published in Illinois Register:  
August 25, 1989, 13 Ill. Reg. 13367
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
There were no agreed changes.
- 13) Will this repealer replace an emergency repealer currently in effect? No
- 14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer:

These rules affect the Chicago public schools. Section 18-8(A)(5)(i)(1) of The School Code requires that the Chicago Board of Education submit an annual plan to the State Board of Education describing how Chicago will use those State aid funds which are intended to serve the educational needs of disadvantaged children (referred to as "State Chapter 1 funds"). Public Act 85-1418 made major revisions in Section 18-8(A)(5)(i)(1). In response, the State board is repealing these rules governing Chicago's State Chapter 1 Plan, and adopting new rules which are consistent with P.A. 85-1418.

16) Information and questions regarding this adopted repealer shall be directed to:

Name: Jon Healy  
Address: Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777  
Telephone: (217) 782-4980



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- 1) Heading of Part: Accident and Health Risk Ratio Notice
- 2) Code Citation: 50 Ill. Adm. Code 938
- 3) Section Numbers: Adopted Action:
- |              |                     |
|--------------|---------------------|
| 938.10       | Amendment           |
| 938.20       | Amendment           |
| 938.30       | Amendment           |
| 938.40       | Repeal              |
| 938.45       | New Section         |
| 938.50       | Repeal              |
| 938.60       | Repeal              |
| 938Exhibit A | Repeal, New Section |
| 938Exhibit B | Repeal              |
- 4) Statutory Authority: Section 144.2 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 756.2, as amended by P.A. 86-753, effective 1/1/90).
- 5) Effective Date of Rules: February 28, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date filed in agency's principal office: February 16, 1990
- 9) Date notice of proposed amendment was published in Illinois Register: 13 Ill. Reg. 17592, November 17, 1989
- 10) Whether JCAR has issued Statement of Objections to this Part: None
- 11) Differences between the proposal and the final version:
- a) In 938 Exhibit A, in Item #5 on the first line the word "Policyholder" was inserted between the number "\$500,000" and the word "Surplus". Also in Item #5 on the fifth and sixth lines the word "companies" was abbreviated "cos."
- b) In Section 938.45(c), in line 2 the word "is" was deleted and the word "are" was inserted in lieu thereof.
- 12) Have all the Changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were required by JCAR.

- 13) Will this amendment replace an emergency rule currently in effect? No.
- 14) Are there any other proposed amendments pending on this Part? No.
- 15) Summary of proposed rules: The amendments to this rulemaking reflect statutory amendments to Section 144.2 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 756.2 as amended by P.A. 86-753, effective 1/1/90). The statutory amendments alter the triggering mechanism for required filings for insurance companies doing accident and health business in this State. Prior to this amendments insurance companies were required to file only after a certain percentage premium volume increase was attained. These amendments require all companies having accident and health premium income to make the required filing.
- 16) Information and questions regarding these adopted amendments shall be directed to:
- Lynn Shanklin  
Illinois Department of Insurance  
320 W. Washington  
Springfield, Illinois 62767  
Phone: (217) 782-4515

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TITLE 50: INSURANCE  
CHAPTER I: DEPARTMENT OF INSURANCE  
SUBCHAPTER 1: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 938  
ACCIDENT AND HEALTH RISK RATIO NOTICE

- Section  
938.10 Authority  
938.20 Purpose and Scope  
938.30 Definitions  
938.40 Percentage Threshold Factor (Repealed)  
938.45 Requirements for all Companies Having Direct Premium Income for Accident and Health Business  
938.50 Requirements for all Companies Having Direct Annual Premium Volume for Accident and Health Business Greater than Policyholders' Surplus (Repealed)  
938.60 Additional Requirements for Companies Having Policyholder Surplus Less Than \$5,000,000 (Repealed)  
938.EXHIBIT A Calculation of Ratio for Companies with Less Than \$5,000,000 in Policyholder Surplus (Repealed)  
938.EXHIBIT B Calculation of Ratio for Companies with Less Than \$5,000,000 in Policyholder Surplus (Repealed)

AUTHORITY: Implementing and authorized by Section 144.2 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 756.2 as amended by P.A. 86-753, effective January 1, 1990).

SOURCE: Adopted at 10 Ill. Reg. 3008, effective April 1, 1986; amended at 14 Ill. Reg. 3489, effective February 28, 1990.

## Section 938.10 Authority

This Part is promulgated by the Director of Insurance pursuant to Section 144.2 of the Illinois Insurance Code (the Code) (Ill. Rev. Stat. 1984<sup>7</sup>, ch. 73, par. 756.2) which requires the Director to establish by rule the percentage increase threshold factor reporting form to be filed concerning direct annual premium volume income for accident and health business, Class 1, clause (b) and Class 2, clause (a) of Section 4 of the Illinois Insurance Code (Ill. Rev. Stat. 1983<sup>7</sup>, ch. 73, par. 616), and Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1983<sup>7</sup>, ch. 73, par. 1013).

(Source: Amended at 14 Ill. Reg. 3489, effective February 28, 1990)

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## Section 938.20 Purpose and Scope

- a) The purpose of this Part is to establish:

- 1) The percentage threshold factor for direct annual premium volume increase for accident and health business; and
- 2) Procedures to be followed by all companies having direct annual premium volume for accident and health business greater than that company's policyholders' surplus; and
- 3) Additional procedures to be followed by companies having policyholders' surplus of less than \$5,000,000.

The purpose of this Part is to establish reporting procedures to be followed by all companies having direct premium income for accident and health business; and to set forth procedures to give notice to the Director of the level of nationwide direct accident and health premium and the level of surplus. Additional surplus information is required of companies having less than \$5,000,000 of surplus as of the most current reporting quarter.

- b) This Part is not intended to limit any company's annual premium volume or any increase in premium volume for accident and health business provided that notice be given to the Director as provided for by this Part. The intended purpose is to set forth procedures to give notice to the Director upon the occurrence of certain increases in annual premium volume for accident and health business. Compliance with the notification procedures promulgated by this Part Filing of the Reporting Form as set forth in Exhibit A hereof shall constitute compliance with the initial notification procedures of Section 144.2 of the Illinois Insurance Code, provided that the Director shall retain his authority to require additional information pursuant to Section 144.2. If the company exceeds the percentages established by this Part, the Director shall require additional information concerning one or more of the topics listed in Section 144.2 of the Code. The exact information required will be based on such



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~~factors-as-the-size-of-the-company,-the-amount-by-which the-percentage-is-exceeded,-and-the-type-of-business written-by-the-company.~~

- c) This Part shall apply to all companies authorized to transact the classes of business as set forth in Class 1, clause (b), or Class 2, clause (a) of Section 4 of the Illinois Insurance Code, hereinafter referred to as accident and health business.

(Source: Amended at 14 Ill. Reg. 3489, effective February 28, 1990)

## Section 938.30 Definitions

~~Direct annual premium-volume-on-an-annualized-basis means-four-times-the-reporting-quarters-premium-income for-accident-and-health-insuree-with-premium-income as-on-line-20a-of-Exhibit-1,-Part-1-of-the-Statutory Annual-Statement-for-Life,-Accident-and-Health-Companies,-as-required-by-Section-136-of-the-Code,-or-equivalent information in any revision of the Statutory Annual Statement for Life, Accident and Health Companies, as required by Section 136 of the Code, or equivalent information in any revision of the Statutory Annual Statement.~~

~~"Direct premium income" means any written premium as shown for a Life, Accident and Health company on Schedule T, Line 94, Column 5 of the Statutory Annual Statement for Life, Accident and Health Companies, as required by Section 136 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 748), or equivalent information in any revision of the Statutory Annual Statement, or the sum of Column 1, Lines 13, 14, and 15 of the Underwriting and Investment Exhibit, Part 2B of the Statutory Annual Statement for Property and Casualty Companies, as required by Section 136 of the Code, or equivalent information in any revision of the Statutory Annual Statement.~~

~~"Notify" means delivery to the Director of the forms specified in this Part as Section 938 Exhibit A and~~

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~~Section-938-Exhibit-B within the time frames specified in this Part.~~

~~"Policyholder Surplus" means the amount determined according to the directions specific to Page 3, Line 367 of the Statutory Annual Statement of Life, Accident and Health Companies, as required by Section 136 of the Code, or equivalent information in any revision of the Statutory Annual Statement, or Page 3, Line 276 of the Statutory Annual Statement for Property and Casualty Companies, as required by Section 136 of the Code, or equivalent information in any revision of the Statutory Annual Statement.~~

(Source: Amended at 14 Ill. Reg. 3489, effective February 28, 1990)

## Section 938.40 Percentage Threshold Factor (Repealed)

~~The-percentage-threshold-factor-shall-be-30-percentum.~~

(Source: Repealed at 14 Ill. Reg. 3489, effective February 28, 1990)

## Section 938.45 Requirements for all Companies Having Direct Premium Income for Accident and Health Business

- a) ~~At the end of each calendar quarter during the year, including year-end, the company will complete the Reporting Form (Exhibit A) and submit the form to the attention of the Financial Corporate Regulatory Division, Health Insurance Specialist, Illinois Department of Insurance, Springfield, IL 62767.~~
- b) ~~The form must be filed unless the three blanks listed below from the reporting form would be reported as zero. Any premium amount in any of the three blanks, including negative amounts, will mean the form must be filed. The three categories are Line 2 - Direct Annual Premium for Prior Calendar Year, Line 3 - Direct Quarterly Premium, and Line 4 - Year-to-Date Direct Premium.~~
- c) ~~The reporting form must be filed within forty-five (45) days of the end of the quarter for which data are reported.~~



## DEPARTMENT OF INSURANCE

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 14 Ill. Reg. 3489, effective February 28, 1990)

Section 938.50 Requirements for all Companies Having Direct Annual Premium Volume for Accident and Health Business Greater than Policyholders' Surplus (Repealed)

At the end of each calendar quarter during the year, the company shall make a calculation of the ratio of the company's direct annual premium volume on an annualized basis for accident and health business to that company's policyholder surplus as reported in the preceding annual statement for that company. -- If that ratio exceeds one, then the company will estimate the percentage increase in the direct annual premium volume on an annualized basis for accident and health business in relation to the direct annual premium volume for accident and health business during the prior calendar year. -- For those companies having a zero or negative direct annual premium volume in the preceding annual statement, the preceding annual statement premium volume should be assumed to be one dollar for purposes of this calculation.

b) In the event that the percentage increase in the direct annual premium volume for accident and health business on an annualized basis exceeds the percentage threshold factor set forth in this Part, then the company shall notify the Director of such increase. The notice shall be given within thirty (30) days of the end of the applicable quarter following the form contained in Exhibit A to this Part. The company need only notify the Director at the first occurrence of exceeding the factor during any calendar year.

(Source: Repealed at 14 Ill. Reg. 3489, effective February 28, 1990)

Section 938.60 Additional Requirements for Companies Having Policyholder Surplus Less Than \$5,000,000 (Repealed)

At the end of each calendar quarter during the year, the company shall make a calculation of the ratio of direct annual premium volume on an annualized basis for accident-and-health business to policyholders' surplus at the end of that quarter. If that ratio exceeds 4 to 1, the company shall notify the director, filing the form contained as Exhibit B to this

Part. The notice shall be given within thirty (30) days of the end of the quarter. The company need only notify the Director at the first occurrence of exceeding the 4 to 1 ratio during any calendar year. Notification to the Department due to this paragraph does not preclude notification to the Department according to Section 938.60 of this Part.

(Source: Repealed at 14 Ill. Reg. 3489, effective February 28, 1990)

Section 938.Exhibit A Calculation-of-Increase-in-Premium  
Volume Accident and Health Reporting Form

ANNUAL ACCIDENT AND HEALTH PREMIUM ON AN ANNUALIZED BASIS  
CALCULATION OF PERCENTAGE INCREASE IN THE DIRECT

[illegible]

For casualty companies --- the sum of Rows 13, 14 and 15 of Column 1 of the Underwriting and Expense Exhibit --- Page 26

(2) Directly-Accident-and-Health-Premium-Income-(Use-same methodology-as-in-(1))

+3+ Four-(4)-times-five-2

(4) Policyholder-Supplies-as-Recorded in the Most Recent Statement Annual-Statement-on file with the Fitness Department-for-fifteen-and-health-companies--BND-30 on page 3-for-equality-companies--BND-30 on page 3

(S) If time is less than five-4  
the STOP---that extra need-not  
be filled with the Department of  
Finance

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

(6) If line 3 is greater than or equal to line 4, then complete the following calculation  
line 3 ---  
line 1  
line 5 -----

(7) If line 5 is greater than or equal to 30 then these calculations must be submitted to the Director of Insurance. If line 5 is less than 30 then this Exhibit need not be filed with the Department of Insurance.

The undersigned has performed the above calculations, pursuant to 50 Ill. Adm. Code 938, using data which to the undersigned is knowledge correctly states the condition of this company. Further the undersigned hereby notifies the Illinois Department of Insurance of the above indicated increase in direct annual premium for accident and health insurance.

-----  
(company name)

-----  
(name)

-----  
(title)

-----  
(reporting date)

DEPARTMENT OF INSURANCE

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Form is due forty-five (45) days after the close of each quarter, including year end. Mail completed form to: Financial Corporate Regulatory Division, Health Insurance Specialist, Illinois Department of Insurance, Springfield, IL 62767.

(1) Policyholder Surplus as reported in the most current Statutory Annual Statement on file with the Illinois Department (Life, Accident and Health companies - Line 37 on Page 3)  
(Casualty companies - Line 26 on Page 3)  
Line 1

(2) Direct Annual Premium for Prior Calendar Year from the latest Statutory Annual Statement (Life, Accident and Health companies - Schedule T Line 94 Column 5) (Casualty companies - sum of Rows 13, 14, and 15 of Column 1 of the Underwriting and Expense Exhibit - Part 2B)  
Line 2

(3) Direct Quarterly Premium (Use same methodology as in (2), quarterly only, not cumulative)  
Line 3

(4) Year-to-date Direct Premium (Use same methodology as in (2) cumulative from beginning of year to end of reporting quarter)  
Line 4

(5) For companies with less than \$5,000,000 Policyholder Surplus: Policyholder Surplus as of the quarter reporting date, calculated in the same fashion as in the Statutory Annual Statement (Life, Accident and Health cos. - Line 37 of Page 3) (Casualty cos. - Line 26 of Page 3)  
Line 5

The undersigned hereby notifies the Illinois Department of Insurance of the above-indicated amounts and certifies that the above amounts are correct.

-----  
(company name) (phone number)

-----  
(name) (quarter reporting date)

-----  
(title) (current date)

## NOTICE OF ADOPTED AMENDMENTS

(Source: Section repealed, new Section adopted at 14 Ill. Reg. 3489, effective February 28, 1990)

Section 938. Exhibit B Calculation of Ratio for Companies with Less than \$5,000,000 in Policyholder Surplus (Repealed)

- (1) Direct-Quarterly-Accident-and-Health-Premium-Income-(For-life; accident-and-health-companies--calculated-as-on-Exhibit-1; Line-20a-of-the-Statutory-Annual Statement)  
(For-casualty-companies--calculated-as-on-the-Underwriting-and-Expense-Exhibit;--Part-2c)  
(2) Four-(4)-times-Line-1  
(3) Policyholder-Surplus-as-of-the-end-of-the-most-current-calendar-quarter-calculated-in-the-same fashion-as-in-the-Statutory Annual-Statement-(for-life; accident-and-health-companies--Line-30-of-Page-3)  
(For-casualty-companies--Line-27 of-Page-3)  
(4) Divide-Line-2-by-Line-3  
(If-Line-4-is-less-than-four-(4) then-Stop---this-Exhibit-need not-be-filed-with-the-Department of-Insurance)  
(If-Line-4-is-greater-than-or equal-to-four-(4);-this-Exhibit must-be-submitted-to-the-Department of-Insurance;)

the-underlined-has-performed-the-above-calculations;-pursuant to-50-III.-Adm.-Code-938;-using-dates;-which-to-the-underlined-is-known-to-be-correctly-states-the-condition-of-this company;-Further-the-underlined-hereby-notifies-the-Illinois Department-of-Insurance-of-the-above-indicated-ratio.

## NOTICE OF ADOPTED AMENDMENTS

-----  
{company-name}  
-----  
{name}  
-----  
{title}  
-----  
{phone-number}  
-----  
{reporting-date}

(Source: Repealed at 14 Ill. Reg. 3489, effective February 28, 1990)



DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED REPEALER

- 1) The Heading of the Part: An Act Relating to the Manufacture, Possession, Storage, Transportation, Use, Sale, or Gift of Explosives
- 2) Code Citation: 62 Ill. Adm. Code 200

Section Numbers	Adopted Action
200.10	Repealed
200.20	Repealed
200.30	Repealed
200.40	Repealed
200.50	Repealed
200.60	Repealed
200.70	Repealed
200.80	Repealed
200.90	Repealed

- 4) Statutory Authority: The Illinois Explosives Act (P.A. 86-364, effective January 1, 1990)

- 5) Effective Date of Amendments: February 23, 1990

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these amendments contain incorporations by reference? Yes

- 8) Date Filed in Agency's Principal Office: February 23, 1990

- 9) Notice of Proposed Amendments Published in Illinois Register:

November 27, 1989 - 13 Ill. Reg. 18056 (Issue #47)

- 10) Has JCAR issued a Statement of Objections to these rules? No.

- 11) Difference(s) between proposal and final version: None

- 12) Have all changes agreed upon by JCAR and the agency been made as indicated in the agreement letter issued by JCAR to the agency? Yes

- 13) Will these Amendments replace an Emergency Amendment currently in effect?  
No

- 14) Are there any amendments pending on this part? No

- 15) Summary and Purpose of Rule(s):

P.A. 86-364, approved August 30, 1989, repealed "An Act for manufacture, possession, storage, transportation, use, sale or gift of explosives", approved July 12, 1939 as amended, and enacted a comprehensive new

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED REPEALER

Illinois Explosives Act. Contemporaneously, with the repeal of this Part, the Department is proposing new Part 200 to implement the provisions of the newly enacted Illinois Explosives Act.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: John C. Lynch  
Rules Coordinator

Address: 300 W. Jefferson, Suite 300  
P.O. Box 10137  
Springfield, IL 62791-0137

Telephone: (217) 782-0125

## DEPARTMENT OF MINES AND MINERALS

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- | <u>Section Numbers</u> | <u>Adopted Action</u> |
|------------------------|-----------------------|
| 33)                    |                       |

[illegible]

- 11) Difference(s) between proposal and final version:**

- B) An authority note has been added preceding the main source note; also in the main source note, line 2, "Repealed" and "New" are in lower case letters.

## DEPARTMENT OF MINES AND MINERALS

## NOTICE OF ADOPTED RULES

- C) In Sections 200.10, 200.600(b), 200.912(a) and 200.913(a), "These rules" have been changed to "This Part".
- D) In Section 200.11, in the definition of "Act", "Public Act" has been changed to "P.A."; also "86-0364" to "86-364"; all definitions have been moved 1/2 inch to the right; and "Department" and "Deflagration" have been reversed.
- E) In Section 200.11, the definition "Public Highways Class A to D" has been removed.
- F) In Section 200.12, the references to "federal and state regulations incorporated by reference" has been removed.
- G) In Section 200.101(h) "recent" has been clarified by adding "taken within the preceding 3 years"; in same section (i) personal history statement has been clarified by adding "containing information required under Section 2005 of the Act".
- H) In Section 200.104 the word "necessary" has been changed to "required under Section 200.101". This identical change has also been made to Section 200.203.
- I) In Section 200.300(e), (f) and (g), the table has been moved 1/2 inch to the right.
- J) In Section 200.501(a) through (d) "may" has been changed to "shall".
- K) In Section 200.604(e) after the first sentence, a sentence has been added as follows:  
 "In determining safe distance, the type and extent of repair and the potential for production of spark or flame shall be considered, but in no event shall the distance be less than that specified in the American Table of Distances and the Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents."
- L) In Section 200.701(b), in line 2, "An Act" has been changed to "AN ACT"; in line 5 "approved August 26, 1976" has been deleted; and in line 6 "Ch." has been changed to "ch."
- M) The American Table of Distances for Storage of Explosive Materials and Explanatory Notes has been added as Section 200. Appendix A.

- 12) Have all changes agreed upon by JCAR and the agency been made as indicated in the agreement letter issued by JCAR to the agency? Yes

## DEPARTMENT OF MINES AND MINERALS

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- 13) Will these Amendments replace an Emergency Amendment currently in effect? No

- 14) Are there any amendments pending on this part? No

- 15) Summary and Purpose of Rule(s):

P.A. 86-364 approved August 30, 1989 adopted a new Illinois Explosives Act and repealed the prior Act (An Act regulating the manufacture, possession, storage, transportation, use, sale or gift of explosives, approved July 12, 1939, as amended). The new act applies to all storage, use, acquisition, possession, disposal and transfer of explosive materials except as otherwise provided in the Act.

The new act establishes a licensing scheme for persons possession, use, purchase or transferring explosive materials, and requires storage certificates for the storage of explosive materials in magazines. The Act also sets forth requirements for obtaining licenses and storage certificates, standards for the storage, transportation and use of explosive materials, recordkeeping and reporting requirements for holders of licenses and certificates, and grounds for disciplinary action including the imposition of civil penalties for violations of the Acts provisions.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: John C. Lynch  
 Rules Coordinator

Address: 300 W. Jefferson, Suite 300  
 P.O. Box 10137  
 Springfield, IL 62791-0137

Telephone: (217) 782-0125

The full text of the Adopted Rules begin on the next page:



## DEPARTMENT OF MINES AND MINERALS

## NOTICE OF ADOPTED RULES

TITLE 62: MINING  
CHAPTER I: DEPARTMENT OF MINES AND MINERALSPART 200  
THE ILLINOIS EXPLOSIVES ACT

## SUBPART A: SCOPE, AUTHORITY AND DEFINITIONS

## Section

200.10 Scope and Authority  
200.11 Definitions  
200.12 Incorporated Materials

## SUBPART B: LICENSE APPLICATION

## Section

200.100 Application for Original Licensure  
200.101 Contents of Application  
200.102 Fingerprint Cards  
200.103 Written Examination  
200.104 Incomplete Application  
200.105 Denial of Application  
200.106 Refusal to Issue  
200.107 License Renewal  
200.108 Temporary License

## SUBPART C: STORAGE CERTIFICATE APPLICATION

## Section

200.200 Application for Original Storage Certificate  
200.201 Contents of Application  
200.202 Incomplete Application  
200.203 Denial of Application  
200.204 Magazine Inspection  
200.205 Refusal to Issue  
200.206 Renewal

## SUBPART D: FEES

## Section

200.300 Fees  
200.301 Proration of Fees  
200.302 Waiver of Fees - Government Agencies

SUBPART E: CLASSIFICATION OF MAGAZINES AND GENERAL  
STORAGE REQUIREMENTS

## DEPARTMENT OF MINES AND MINERALS

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Section  
200.400 General Storage Requirements  
200.401 Classification of Magazines  
200.402 Location of Magazines -- Distances and Quantity

## SUBPART F: MAGAZINE CONSTRUCTION STANDARDS

## Section

200.500 Construction of Magazines  
200.501 Type 1 Magazine  
200.502 Type 2 Magazine  
200.503 Type 3 Magazine  
200.504 Type 4 Magazine  
200.505 Type 5 Magazine

## SUBPART G: MAGAZINE OPERATIONS AND MAINTENANCE

## Section

200.600 Magazine Keeper  
200.601 Security Precautions  
200.602 Safety Precautions - General  
200.603 Safety Precautions - Handling and Storage  
200.604 Magazine Maintenance and Repair

SUBPART H: TYPE 3 MAGAZINES AND VEHICLES  
AT BLAST AREAS

## Section

200.700 Requirements for Type 3 Magazines  
200.701 On-Site Vehicles; Warning Signs

## SUBPART I: RECORDKEEPING AND REPORTING

## Section

200.800 Possession of License  
200.801 Posting of Storage Certificate  
200.802 Report of Lost, Stolen or Destroyed License or Storage Certificate  
200.803 Worn or Damaged License or Storage Certificate  
200.804 Report of Changed Conditions; Cancellation or Modification of Storage Certificate  
200.805 Report of Theft or Loss of Explosive Materials  
200.806 Records of Transactions - Licensees and Certificate Holders  
200.807 Daily Summary of Magazine Transactions  
200.808 Transactions - Black Powder  
200.809 Record of Annual Physical Magazine Inventory  
200.810 Inspections

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## SUBPART J: RULES OF PROCEDURE IN ADMINISTRATIVE HEARINGS

Section	Notice of Department's Intended Action; Contents and Service
200.900	Request for Hearing on Department's Intended Action; Contents and Service
200.901	Notice of Hearing
200.902	Postponement or Continuance of Hearing
200.903	Hearing Officer; Powers and Duties
200.904	Pre-Hearing Conferences
200.905	Burden and Standard of Proof
200.906	Default
200.907	Evidence
200.908	Briefs
200.909	Hearing Officer's Decision
200.910	Final Administrative Decision
200.911	Administrative Fines
200.912	Immediate Suspension Without Notice of Hearing
200.913	Computation of Time
200.914	Appendix A American Table of Distances for Storage of Explosive Materials

AUTHORITY: Implemented and authorized by the "Illinois Explosives Act", P.A. 86-364, approved August 30, 1989, effective January 1, 1990.

SOURCE: Amended September 15, 1973; codified at 7 Ill. Reg. 12867; Part repealed, new Part adopted at 14 Ill. Reg. 3501, effective February 23, 1990.

## SUBPART A: SCOPE, AUTHORITY AND DEFINITIONS

## Section 200.10. Scope and Authority

This Part implements the Illinois Explosives Act, approved August 30, 1989 (P.A. 86-364) and apply to all storage, use, acquisition, possession, disposal and transfer of explosive materials except as otherwise provided in the Act. This Part is intended to supplement the requirements of any Federal or State law and regulations governing the storage, use, acquisition, possession, disposal and transfer of explosive materials, but shall be construed, wherever possible to avoid conflicting or duplicative requirements. In the event of a conflict between this Part and the laws and rules enforced by agencies of the federal government including the Bureau of Alcohol, Tobacco and Firearms, the Mine Safety and Health Administration and the Occupational Safety and Health Administration, the laws and rules enforced by agencies of the federal government shall control; provided that provisions of this Part shall not be deemed to be in conflict on the basis that they are more specific than, more stringent than or impose requirements for which no like requirements are contained in laws and rules enforced by agencies of the federal government.

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## Section 200.11. Definitions

For the purpose of this Part the term:

"Acceptor" means a charge of explosives or blasting agent receiving an impulse from an exploding donor charge.

"Act" means the Illinois Explosives Act, approved August 30, 1989 (P.A. 86-364).

"Ammonium Nitrate" means the ammonium salt of nitric acid represented by the formula  $\text{NH}_4\text{NO}_3$ .

"ANFO" means an explosive material consisting of ammonium nitrate and fuel oil.

"Artificial Barricade" means an artificial mound or revetted wall of earth of a minimum thickness of three feet at the top of the mound or wall, or a mound or revetted wall of other material offering equivalent protection. Artificial barricades which are vegetated shall be of sufficient slope to enable mowing.

"Barricaded" means the effective screening of a building containing explosives from a magazine or other building, railway, or highway by a natural or an artificial barrier. A straight line from the top of any sidewall of the building containing explosives to the eave line of any magazine or other building or to a point twelve feet above the center of a railway or highway shall pass through such barrier.

"BATF" means the Bureau of Alcohol, Tobacco, and Firearms, U.S. Department of Treasury.

"Black Powder" means a deflagrating or low explosive compound of an intimate mixture of sulfur, charcoal, and an alkali nitrate, usually potassium or sodium nitrate.

"Blast or Blasting" means the firing of explosive materials for such purposes as breaking rock or other material, moving material, or generating seismic waves. The assembly of explosive materials for such purpose.

"Blast Area" means the area of a blast within the influence of flying rock missiles, gases, and concussion.

"Blasting Agent" means any material or mixture consisting of a fuel and oxidizer intended for blasting, not otherwise defined as an explosive, provided that the finished product, as mixed and packaged



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for use or shipment, cannot be detonated by means of a No. 8 blasting cap, as defined by the Bureau of Alcohol, Tobacco and Firearms, U.S. Department of Treasury, when unconfined.

"Blasting Cap" means a detonator which is initiated by a safety fuse.

"Bulk Mix" means a mass of explosive material prepared for use in bulk form without packaging.

"Bulk Mix Truck or Delivery Equipment" means equipment (usually a motor vehicle with or without a mechanical delivery device) that transports explosive materials in bulk form for mixing or loading directly into blastholes, or both.

"Bullet-Resistant" means magazine walls or doors of construction resistant to penetration of a bullet of 150-grain M2 ball ammunition having a nominal muzzle velocity of 2700 feet per second fired from a .30 caliber rifle from a distance of 100 feet perpendicular to the wall or door. When a magazine ceiling or roof is required to be bullet-resistant, the ceiling or roof shall be constructed of materials comparable to the side walls or of other materials which will withstand penetration of the bullet described above when fired at an angle of 45 degrees from the perpendicular. Tests to determine bullet resistance shall be conducted on test panels or empty magazines which shall resist penetration of 5 out of 5 shots placed independently of each other in an area at least 3 feet by 3 feet.

"Bullet-Sensitive Explosive Material" means explosive materials that can be detonated by 150-grain M2 ball ammunition having a nominal muzzle velocity of 2700 feet per second when the bullet is fired from a .30 caliber rifle at a distance of not more than 100 feet and the test material, at a temperature of 70 to 75 F, is placed against a backing material of 1/2 inch steel plate.

"Cap Sensitivity" means the sensitivity of an explosive to initiation by a detonator. An explosive material is considered to be cap sensitive if it detonates with a No. 8 Test Detonator.

"Deflagration" means an explosive reaction such as a rapid combustion that moves through an explosive material at a velocity less than the speed of sound in the material.

"Department" means Illinois Department of Mines and Minerals.

"Detonating Cord" means a flexible cord containing a center core of high explosive and used to initiate other explosives.

"Detonation" means an explosive reaction that moves through an

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explosive material at a velocity greater than the speed of sound in the material.

"Detonator" means any device containing any initiating or primary explosive that is used for initiating detonation. A detonator may not contain more than 10 grams of total explosives by weight, excluding ignition or delay charges.

"Director" means Director of the Department of Mines and Minerals.

"Donor" means an exploding charge producing an impulse that impinges upon an explosive "acceptor" charge.

"Emulsion" means an explosive material containing substantial amounts of oxidizers dissolved in water droplets, surrounded by an immiscible fuel.

"Explosive" means any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion and includes high or low explosives. Manufactured articles, including, but not limited to, fixed ammunition for small arms, fire crackers, safety fuses, and matches are not explosives when the individual units contain explosives in such limited quantity and of such nature or in such packing that it is impossible to produce a simultaneous or a destructive explosion of such units which would be injurious to life, limb or property.

"Explosive materials" means explosives, blasting agents, and detonators.

"Fire-Resistant" means construction designed to offer reasonable protection against fire.

"Grains" means a system of weight measurement where 7000 grains are equivalent to one standard 16-ounce pound (0.45 kg).

"Hardwood" means red oak, white oak, hard maple, ash or hickory, free from loose knots, wind shakes, or similar defects.

"High Explosive" means explosives which are characterized by a very high rate of reaction, high pressure development, and the presence of a detonation wave in the explosive.

"Highway" means any public street, public highway, or public alley.

"Inhabited Building" means a building regularly occupied in whole or part as a habitation for human beings, or any church, schoolhouse, railroad station, store, or other structure where people are



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accustomed to assembly, except any building or structure occupied in connection with the manufacture, transportation, storage or use of explosive materials.

"Inventory" means a listing of all explosive materials stored in a magazine.

"Low Explosive" means explosives which are characterized by deflagration or a low rate of reaction and the development of low pressure.

"Magazine" means any building or other structure or container, other than a factory building, used to store explosive materials. Where mobile or portable type 5 magazines are permissible and used, "magazine", for the purpose of obtaining certificates and calculating fees, means the site on which such magazines are located.

"Magazine Keeper" means a person responsible for the inventory and safe storage of explosive materials, including the proper maintenance of explosive materials, storage magazines and areas.

"Natural Barricade" means natural features of the ground, such as hills, or timber of sufficient density that the surrounding exposures which require protection cannot be seen from the magazine when the trees are bare of leaves.

"Nonsparking Metal" means a metal that will not produce a spark when struck with other tools, rock, or hard surfaces.

"Person" means any individual, corporation, company, association, partnership, or other legal entity, except that, with reference to individual licenses or when the context otherwise requires, person means a natural person.

"Plywood" means exterior construction-grade plywood.

"Propagation" means the detonation of explosive charges by an impulse received from adjacent or nearby explosive charges.

"Railway" means any public steam, electric or other railroad or rail system which carries passengers for hire, but shall not include auxiliary tracks, spurs and sidings installed and primarily used in serving any mine, quarry or plant.

"Softwood" means Douglas fir or other wood of equal bullet resistance and free from loose knots, wind shakes or similar defects.

"Steel" means general purpose (hot or cold rolled) low-carbon steel

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or equivalent.

"Theft-Resistant" means construction designed to deter illegal entry into facilities used for the storage of explosive materials.

"Unbarricaded" means the absence of a natural or artificial barricade around explosive storage areas of facilities.

"Weather-Resistant" means construction designed to offer reasonable protection against weather.

## Section 200.12. Incorporated Materials

a) The following federal and state regulations, and standards are incorporated or referenced in various sections of this Part:

1) "The National Electrical Code" - (1987 Edition) published by:

The National Fire Protection Association (NFPA)  
1110 Vermont Ave., N.W., Suite 1210  
Washington, D.C. 20005,

2) "The Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents" - (NFPA 495-1985 Edition) published by:

The National Fire Protection Association (NFPA)  
1110 Vermont Ave., N.W., Suite 1210  
Washington, D.C. 20005

3) "Warnings and Instructions for Consumers in Transporting, Storing, Handling, and Using Explosive Materials" (Safety Library Publication No. 4, June 1987 Edition)

Institute of Makers of Explosives  
1120-19th Street, N.W., Suite 310  
Washington, D.C. 20036

b) All incorporations by reference of the standards of nationally recognized organizations refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified.

c) All materials incorporated by reference are available for inspection and copying at the Department's General Office, 300 W. Jefferson, Suite 300, Springfield, Illinois 62791-0137.

SUBPART B: LICENSE APPLICATION

Section 200.100. Application for Original Licensure

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Any person who intends to possess, use, purchase or transfer explosive materials, unless exempted under Section 1004 of the Act, shall make application on forms provided by the Department. The application must be executed under penalties of perjury and accompanied by the required fee.

## Section 200.101. Contents of Application

The application for original licensure shall include:

- a) The applicant's full name and any aliases used by the applicant.
- b) The applicant's age, sex and date of birth.
- c) A physical description of the applicant, which shall include height, weight, color of hair and color of eyes.
- d) The applicant's social security number or drivers license number.
- e) The applicant's resident address and telephone number.
- f) A description of the purposes for which and the places where explosive materials are to be possessed or used.
- g) If explosive materials are to be possessed and used in connection with a business, the name of the business, the form of organization of the business, the applicant's relationship to the business and the address or addresses, and telephone number, of any offices in this State out of which the business operates.
- h) A recent passport size photograph taken within the preceding 3 years.
- i) A personal history statement containing information required under Section 2005 of the Act.

## Section 200.102. Fingerprint Cards

An applicant for original licensure, except for an applicant who has previously submitted fingerprint cards to the Department, shall submit with the application two (2) sets of fingerprint cards on forms specified by the Department. The fingerprint cards shall be accompanied by the required fee.

## Section 200.103. Written Examination

- a) The written examination shall encompass the following subject matter:
  - 1) Legal requirements for, and restrictions on, the possession, use, purchase, transfer, storage and disposal of explosive materials in Illinois.

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- 2) Safety principles in the transport, storage, handling and usage of explosive materials (as set forth in "Safety Library Publication No. 4", June 1987 edition of the Institute of Makers of Explosives).

- b) The passing grade shall be at least 80%.

- c) An applicant who fails the first examination may be rescheduled at any time for re-examination. After the second and each subsequent failure, the application is ineligible for further examination until the expiration of at least 60 days from the previous examination.

## Section 200.104. Incomplete Application

If the application does not contain all of the information or documents required under Section 200.101 for evaluation of the application, or if the fingerprint cards as originally submitted cannot be processed, the Department shall notify the applicant in writing. The notification shall specify the additional information or documents necessary to an evaluation of the application, or state that substitute fingerprint cards must be submitted, as the case may be, and shall advise the applicant that the application will be deemed denied unless the information, documents or fingerprints are submitted within 60 days following the date of notification.

## Section 200.105. Denial of Application

If the applicant fails to qualify for an original license by reason of age, or if the applicant fails to pass the examination within one year of the date of application, or if the applicant fails to make complete application in accordance with Section 200.104 of this Part, the Department shall deny the application and notify the applicant in writing. The notice shall set forth the reasons for denial and instructions for making any reapplication.

## Section 200.106. Refusal to Issue

If, after the Department's investigation of the application, the Department intends to refuse to issue a license, the Department shall notify the applicant in writing of the grounds upon which such intended refusal is based and of the applicant's right to a hearing pursuant to Section 200.900 of this Part.

## Section 200.107. License Renewal

- a) A license issued pursuant to this Subpart is valid for 3 years from the date of issuance.
- b) The holder of a license may renew such license during the 60 day



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period preceding the expiration date thereof by submitting a renewal application on forms provided by the Department together with the required fee.

- c) Any license which is not renewed within 30 days following its expiration will be cancelled. Any requests after that date to renew or restore will be treated as a new application.
- d) The extended renewal period under subsection (c) above does not allow a licensee to engage in any conduct or activities for which a license is required during the 30 day period after the license has expired.

## Section 200.108. Temporary License

- a) Any person not a resident of Illinois who intends to possess, use, purchase or transfer explosive materials in Illinois on a limited basis may make application on forms provided by the Department for a temporary license. The application must be executed under penalties of perjury and accompanied by the required, non-refundable fee.
- b) The application for temporary licensure shall include the same information required for an original license under Section 200.101 of this Part and in addition shall include:

- 1) Evidence of a valid existing explosive license or permit issued by the Bureau of Alcohol, Tobacco and Firearms, U.S. Department of the Treasury, such federal license to be of a classification appropriate to the activities to be conducted under the temporary license.
- 2) A complete description of the activities requiring the possession, use, purchase or transfer of explosive materials in Illinois including the location and length of the project or activity.
- 3) A current and valid storage certificate, if applicable to the activity, issued under Subpart C of this Part.
- c) A temporary license issued pursuant to this Section shall entitle the holder to engage only in those activities for which the license was issued and shall be valid only until the activities are completed, but in any event, no more than 3 months from the date of issuance.

## SUBPART C: STORAGE CERTIFICATE APPLICATION

## Section 200.200. Application for Original Storage Certificate

Any person who intends to store explosive materials shall make application on

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forms provided by the Department. The application must be executed under penalties of perjury.

## Section 200.201. Contents of Application

The application for an original storage certificate shall include:

- a) The full name and the business and residence addresses and telephone numbers of the person making the application.
- b) The full name and the business and residence addresses and telephone numbers of the person having direct responsibility for the magazine (the magazine keeper), if different from the applicant.
- c) The location or proposed location of the magazine, including the township, county and, if the magazine is located in an unincorporated area, the name and distance from the nearest municipality.
- d) The kind and maximum quantity of explosive materials intended to be stored in the magazine.
- e) The distance or intended distance of the magazine from the nearest magazine building, railroad or highway, and whether the magazine is barricaded.
- f) A description of the purposes for which explosive materials are intended to be stored.
- g) The full names and explosive license numbers of all persons who will have access to and handle explosive materials, or a statement of the reasons for which an exemption from the individual license requirements is claimed under Section 1004 of the Act.

## Section 200.202. Incomplete Application

If the application does not contain all of the information or documents required under Section 200.101 for the Department to evaluate the application, the Department shall notify the applicant in writing. The notification shall specify the additional information or documents necessary to an evaluation of the application, and shall advise the applicant that the application will be deemed denied unless the information or documents are submitted within 60 days following the date of notification.

## Section 200.203. Denial of Application

If an applicant fails to make complete application in accordance with Section 200.202 of this Part, the Department shall deny the application and notify the applicant in writing. The notice shall set forth the reasons for denial and



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instructions for making any reapplication.

## Section 200.204. Magazine Inspection

Upon receipt of a complete application for an original storage certificate the Department shall inspect magazine. If the inspector finds that the magazine is located and constructed in accordance with the Act and these Rules, the inspector shall determine the quantity of explosive materials that may be stored and shall calculate the required fee. Upon receipt of the inspector's report and the required fee, the Department shall issue the storage certificate.

## Section 200.205. Refusal to Issue

If, after the Department's investigation of the application, the Department intends to refuse to issue a storage certificate, the Department shall notify the applicant in writing of the grounds upon which such intended refusal is based, and of the applicant's right to a hearing pursuant to Section 200.900 of this Part.

## Section 200.206. Renewal

A storage certificate issued under this Subpart shall expire on the last day of February of each year. The holder of a storage certificate may renew the certificate by submitting a renewal application on forms provided by the Department together with the required fee. The renewal application and fee shall be delivered to the Department at the time of the annual inspection of the magazine during the 6 month period immediately preceding the expiration date of the storage certificate.

## SUBPART D: FEES

## Section 200.300. Fees

The following fees shall be paid to the Department for administration of the Act and are non-refundable.

- a) The fee for an application and to receive a license is \$75.00 (plus the amount required under contract with the Department of State Police for processing and/or reprocessing the fingerprints).
- b) The fee for re-examination of an applicant is \$25.00.
- c) The renewal fee for a license is \$75.00.
- d) The fee for a temporary license is \$75.00.
- e) Except as provided in subsections (f) and (g) below pertaining to

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Type 5 magazine storage sites and cap magazines, the fee for an application and to receive a storage certificate is as follows:

Quantity of Explosive Materials	Fee
1 - 50 lbs	\$25
51 - 1,000 lbs	\$50
1,001 - 50,000 lbs	\$100
50,001 - 300,000 lbs	\$200

- f) The fee for an application and to receive a storage certificate for a Type 5 magazine storage site is as follows:

Quantity of Explosive Materials	Fee
1 - 50,000 lbs	\$100
50,001 - 300,000 lbs	\$200

- g) The fee for an application and to receive a storage certificate for the storage of blasting caps is as follows:

Number of Caps	Fee
1 - 1,000	\$25
1,001 - 50,000	\$100
over 50,000	\$200

- h) The renewal fee for a storage certificate is the same as for an original certificate.

- i) The fee for a replacement license or storage certificate (lost, stolen, destroyed) is \$25.00.

- j) The fee for a duplicate original license or storage certificate (worn or damaged) is \$25.00.

## Section 200.301. Proration of Fees

An original storage certificate applied for and received during the 6 month renewal period ending February 28 shall be issued for the balance of the renewal period and the following full year, and the fee shall be calculated at 1 1/2 times the fee specified in Section 200.300(e), (f) and (g) of this Part.

## Section 200.302. Waiver of Fees - Government Agencies

Fees assessed in connection with licenses and storage certificates will be waived for agencies of the federal government and the State of Illinois and its political and civil subdivisions. Fees will also be waived for officers

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and employees of such agencies if the agency submits a letter on its letterhead setting forth that the license or storage certificate is required in the discharge of the officer's or employee's duties.

## SUBPART E: CLASSIFICATION OF MAGAZINES AND GENERAL STORAGE REQUIREMENTS

## Section 200.400. General Storage Requirements

a) All explosive materials shall be stored in magazines which meet the requirements of this Subpart unless they are:

- 1) In process of manufacture.
- 2) Being used.
- 3) Being loaded or unloaded into or from transportation vehicles or while in the course of transportation.

b) When blasting agents are stored in the same magazine with explosives, the magazine shall be suitable for storage of high explosives.

c) Detonators such as blasting caps, electric blasting caps or non-electric delay devices shall not be stored in the same magazine with other explosive materials.

d) Explosive materials which are classified as high explosives shall be stored in Types 1, 2, or 3 magazines. Explosive materials which are classified as low explosives may be stored in Types 1, 2, 3, or 4 magazines. Explosive materials which are classified as Blasting Agents may be stored in Types 1, 2, 3, 4, or 5 magazines.

e) Detonators shall be stored in Types 1, 2, or 3 magazines, except that electric blasting caps having leg wires at least four feet long (provided they are in the configuration as supplied by the manufacturer) may be stored in a Type 4 magazine.

f) Detonating cord shall be stored in either a Type 1, 2, or 3 magazine and may be stored in these same type magazines with other explosive materials, except detonators.

## Section 200.401. Classification of Magazines

a) Type 1 Magazine. A permanent magazine for the storage of high explosives. Type 1 magazines are bullet resistant, fire resistant, theft resistant, and weather resistant.

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b) Type 2 Magazine. A portable or mobile magazine for outdoor or indoor storage of high explosives. Type 2 magazines are bullet resistant, fire resistant, theft resistant, and weather resistant.

c) Type 3 Magazine. A portable magazine for the temporary storage of explosive materials while attended. An example is a "day box" at the site for blasting operations. Type 3 magazines are fire resistant, theft resistant, and weather resistant.

d) Type 4 Magazine. A permanent, portable or mobile magazine for outdoor or indoor storage of low explosives. Type 4 magazines are fire resistant, theft resistant and weather resistant.

e) Type 5 Magazine. A permanent, portable or mobile magazine for the storage of blasting agents. Type 5 magazines include tanks, tank trailers, tank trucks, semi-trailers, bulk mix trailers, bulk mix trucks and bins. Type 5 magazines are theft resistant, and outdoor Type 5 magazines are also weather resistant.

## Sec. 200.402. Location of Magazines -- Distances and Quantity

a) All outdoor magazines except Type 3 shall be located as provided in the American Table of Distances when determining minimum distances of inhabited buildings, passenger railways, and public highways.

b) Separation Distances in the American Table of Distances and the table of Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents shall be used in determining minimum separation of storage facilities for explosives, blasting agents, and ammonium nitrate. The American Table of Distances should be used to determine safe distances from inhabited dwellings, highways, passenger railways, and between explosive materials magazines. The table of Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents should be used to determine non-propagation distances to ANFO blasting agents and to ammonium nitrate. The greater of the distances shown in the American Table of Distances and in the table of Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents should be used to determine the required separation between a magazine for storage of explosives and a magazine for storage of blasting agents.

c) The storage of explosive materials in indoor magazines shall not exceed 50 pounds in any building or facility. No indoor magazine shall be located in a residence or dwelling. Indoor magazines shall be located on a floor which has an exit at or ramp to exterior grade level. Indoor magazines shall be located not more than 10 feet from such an exit. Two magazines may be located in the same building or facility when one is used for detonators only, in quantities not in

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excess of 5,000, and when a distance of 10 feet is maintained between magazines. All indoor magazines must be on casters or wheels to facilitate removal from a building in an emergency. The local fire department shall be notified of the location of the magazines and of any change in location.

- d) A Type 3 magazine is not subject to the American Table of Distances, but shall be located as far away as practicable from neighboring inhabited buildings, railways, highways, and any other magazines.

## SUBPART F: MAGAZINE CONSTRUCTION STANDARDS

## Section 200.500. Construction of Magazines

- a) Magazines constructed according to the following minimum specifications are approved as bullet-resistant as defined by Section 200.11 of this Part (all steel and wood dimensions are actual thicknesses; all concrete block and brick dimensions are nominal thicknesses):

## 1) Exterior of steel:

- A) 5/8 inch steel with an interior lining of any type of non-sparking material.
- B) 1/2 inch steel with an interior lining of not less than 3/8 inch plywood.
- C) 3/8 inch steel with an interior lining of:
  - i) 2 inches of hardwood, or
  - ii) 3 inches of softwood, or
  - iii) 2 1/4 inches of plywood.

## D) 1/4-inch steel with an interior lining of:

- i) 2 inches of hardwood, or
- ii) 5 inches of softwood, or
- iii) 5 1/4 inches of plywood, or
- iv) 1 1/2 inches of plywood with an intermediate layer of 2 inches of hardwood.

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- E) 3/16-inch steel with an interior lining of:

- i) 4 inches of hardwood, or
- ii) 7 inches of softwood, or

- iii) 6 3/4 inches of plywood, or

- iv) 3/4 inches of plywood with an intermediate layer of 3 inches of hardwood.

## F) 1/8-inch of steel with an interior lining of:

- i) 5 inches of hardwood, or

- ii) 9 inches of softwood, or

- iii) 3/4 inches of plywood with an intermediate layer of 4 inches of hardwood, or

- iv) 3/4 inches of plywood with a first intermediate layer of 3/4-inch plywood and a second intermediate layer of 3-5/8 inches of well-tamped dry sand or sand and cement mixture.

## 2) Exterior of any type of fire-resistant material which is structurally sound with:

- A) An interior lining of 1/2-inch plywood placed securely against an intermediate layer of:

- i) 4 inches solid concrete block, or

- ii) 4 inches solid brick, or

- iii) 4 inches solid concrete.

- B) An interior lining of 3/4 inches of plywood and a first intermediate layer of 3/4-inch plywood, a second intermediate layer of 3-5/8-inch well-tamped dry sand or sand and cement mixture, a third intermediate layer of 3/4-inch plywood, and a four intermediate layer of 2 inches of hardwood or 14-gauge steel.

- C) An intermediate 6 inch space filled with well-tamped dry sand or well-tamped sand and cement mixture.

## 3) Masonry construction of:



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- A) Standard 8-inch concrete block with voids filled with well-tamped dry sand or well-tamped sand and cement mixture, or
- B) Standard 8-inch solid brick, or
- C) 8-inch thick solid concrete.
- b) The ground around a magazine shall be graded in such a manner that water will not drain into the magazine.
- c) Battery-activated safety lights or battery-activated safety lanterns may be used in explosives storage magazines. Upon request, electric lighting systems for magazines will be authorized by the Department if they meet the standards prescribed by the National Electrical Code, for the conditions present in the magazine at any time. All electrical switches must be located outside of the magazine and also meet the standards prescribed by the National Electrical Code.
- d) Type 1,2,3 or 4 magazines constructed with masonry walls or with any ferrous metal must have such interior surfaces covered with a non-sparking lattice, paint, mastic, or equivalent lining to prevent direct contact with stored explosive materials.
- e) In a Type 5 magazine, ferrous metal may be exposed on the interior of the magazine provided it cannot rupture the packages of explosive materials.

## Section 200.501. Type 1 Magazine

A Type I magazine shall be a permanent structure such as a building or an igloo that is bullet-resistant, fire-resistant, theft-resistant, weather-resistant, and ventilated.

## a) Walls.

The walls shall be constructed according to any of the specifications listed in Section 200.500 of this Part.

## b) Doors.

The doors shall be constructed according to any of the specifications listed in Section 200.500 of this Part.

## c) Roof.

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The roof shall be constructed of any type of structurally sound materials which are or have been made fire-resistant on the exterior.

d) Roof or Ceiling.

Where the natural terrain around a Type I magazine makes it possible to shoot a bullet through the ceiling or roof at such an angle that a bullet could strike the explosive materials stored in the magazine, then either the roof or ceiling shall be of bullet-resistant construction. A bullet-resistant roof shall be constructed according to any of the specifications listed in Section 200.500 of this Part. A bullet-resistant ceiling may be constructed at the eave line, covering the entire area of the magazine except the space necessary for ventilation. Examples of ceiling construction that are considered bullet-resistant are:

- 1) A sand tray having a depth of not less than 4 inches of sand.
- 2) Any construction meeting specifications of Section 200.500 of this Part.

## e) Foundation.

The foundation may be of masonry, wood, or metal and shall be completely enclosed except for openings to provide cross-ventilation. A wooden foundation enclosure shall be covered on the exterior with a fire-resistant material.

## f) Floor.

The floor may be constructed of wood or other suitable materials. Floors constructed of materials that may cause sparks shall be covered with a surface of non-sparking materials or the packages of explosive materials shall be placed on pallets of non-sparking materials.

## g) Ventilation.

Ventilation shall be provided to prevent dampness and heating of stored explosive materials. Ventilating openings shall be screened to prevent the entrance of sparks. Ventilation openings in side walls and foundations shall be offset or shielded for bullet-resistant purposes. Magazines having foundation and roof ventilators with the air circulating between the side walls and the floors and between the side walls and the ceiling shall have a wooden lattice lining or equivalent to prevent the packages of explosive materials from being stacked against the side walls and blocking the air circulation.

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## h) Locks.

Each door shall be equipped with two mortise locks; or with two padlocks fastened in separate hasps and staples; or with a combination of a mortise lock and a padlock; or a three point lock, or equivalent type of lock that secures a door to the frame at more than one point. Padlocks shall be steel having at least five tumblers and at least 3/8 inch diameter case-hardened shackle. All padlocks shall be protected by 1/4 inch steel hoods that are installed in such a manner as to discourage insertion of bolt cutters, saws, files, or levering devices. Doors that are secured by at least two substantial internal bolts or bars do not require additional locking devices. Hinges and hasps and all locking hardware shall be rigidly secured and fastened by welding or through bolts which cannot be removed when the door is locked.

## Section 200.502. Type 2 Magazine

A Type 2 magazine shall be a portable or mobile structure, such as a box, skid-magazine, trailer or semi-trailer, that is bullet-resistant, fire-resistant, theft-resistant, weather-resistant, and ventilated, except that Type 2 indoor magazines need not be bullet or weather-resistant or ventilated. Any construction specified for a Type 1 magazine is acceptable for a Type 2 magazine.

a) Type 2 Outdoor Magazines. Outdoor magazines shall be constructed according to the following specifications or to any of the specifications listed in Section 200.500 of this Part.

- 1) The exterior and doors shall be constructed of not less than 1/4-inch steel and lined with at least two inches of hardwood. Magazines with top openings shall have lids with water-resistant seals or which overlap the sides by at least one inch when in a closed position.
- 2) Floors covered of ferrous metal shall be covered with a surface of non-sparking material. Magazines with top openings shall have a lid that overlaps the sides by at least one inch when in closed position.
- 3) The magazine shall be supported in such a manner as to prevent the floor from having direct contact with the ground. Magazines less than one cubic yard in size shall be securely fastened to a fixed object to prevent theft of the entire magazine.
- 4) Hinges, hasps, locks, and locking hardware shall conform to the provisions for Type 1 magazines as specified in Section

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200.501(h) of this Part. When unattended, a vehicular magazine shall have wheels removed, or be locked with a kingpin locking device, or otherwise be effectively immobilized.

## b) Type 2 Indoor Magazine

- 1) Type 2 indoor magazines constructed of wood shall have sides, bottoms, and lids or doors constructed of two-inch wood and shall be well braced at corners. The magazines shall be covered with sheet metal of not less than 26 gauge. Nails exposed to the interior or such magazines shall be countersunk.
- 2) Type 2 indoor magazines constructed of metal shall have sides, bottoms, the lids or doors constructed of 12 gauge metal and shall be lined inside with a non-sparking material. Edges of metal lids shall overlap sides at least one inch.
- 3) Type 2 indoor magazines shall be provided with substantial wheels or casters to facilitate removal from a building in an emergency. The lid of such magazines shall have substantial strap hinges and a means for locking with at least a five tumbler steel padlock having at least a 3/8 inch diameter case hardened shackle. The magazines shall be kept locked except during the placement or removal of explosive materials.

- 4) Type 2 indoor magazines shall be painted red and shall bear lettering in white, on top, at least three inches high, "Explosives - Keep Fire Away."

## Section 200.503. Type 3 Magazine

A Type 3 magazine shall be a portable structure that is fire-resistant, theft-resistant, weather-resistant, and ventilated.

a) Type 3 magazines shall be constructed according to the following specifications or to any of the specifications listed in Section 200.500 of this Part which is practical.

- 1) A type 3 magazine is to be constructed of not less than number 12 gauge (.1046 inches) steel, lined with at least either 1/2-inch plywood or 1/2-inch Masonite-type hardboard.
- 2) Doors must overlap sides by at least one inch.
- 3) Hinges and hasps are to be attached by the welding, riveting or bolting with the nuts on the inside.
- b) Type 3 magazines shall be equipped with at least a five-tumbler steel



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padlock having at least a 3/8 inch-diameter case hardened shackle.

## Section 200.504. Type 4 Magazine

A Type 4 magazine shall be a permanent, portable, or mobile structure such as a building, igloo, box, semi-trailer or other mobile containers that is fire-resistant, weather-resistant, and ventilated, except that over-the-road trucks or semi-trailers used for temporary storage need not be ventilated or fire-resistant.

## a) Type 4 Outdoor Magazine.

A Type 4 outdoor magazine shall be constructed of masonry, wood covered with metal, fabricated metal or a combination of these materials. The door shall be metal or wood covered with metal. The requirements of Section 200.501 (e), (f) and (h) of this Part pertaining to foundations, floors, and locks shall apply to permanent Type 4 outdoor magazines.

## b) Type 4 Indoor Magazine.

A Type 4 indoor magazines shall be constructed in accordance with the provisions for a Type 2 indoor magazine set forth in Section 200.502 of this Part.

## Section 200.505. Type 5 Magazine

A Type 5 magazine shall be a permanent, portable, or mobile structure such as a building, igloo, box, bin, tank, semi-trailer, bulk trailer, tank trailer, bulk truck, tank truck or other mobile container that is fire-resistant, theft-resistant, weather-resistant, and ventilated except that over-the-road trucks or semi-trailers used for temporary storage need not be fire-resistant or ventilated and indoor magazines need not be weather-resistant or ventilated. Interior of Type 5 magazines need not be covered with non-sparking material.

a) Each door of Type 5 magazine shall be locked with at least one steel case five-tumbler padlock having at least a 3/8 inch diameter case-hardened shackle. A hood for the padlock is not required. Hinges and hasps and all locking hardware shall be rigidly secured and fastened by welding or through bolts which cannot be removed when the door is locked.

b) When unattended, a vehicular magazine shall have wheels removed, or be locked with a kingpin locking device, or otherwise be effectively immobilized.

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## SUBPART C: MAGAZINE OPERATIONS AND MAINTENANCE

## Section 200.600. Magazine Keeper

a) Magazines shall at all times be in the charge of a competent person, known as the Magazine Keeper, who shall be at least 21 years of age, and who shall be conversant with and be responsible for the enforcement of all safety and security precautions. The current business and residence addresses and telephone numbers of the Magazine Keeper shall be on file with the Department at all times.

b) The Magazine Keeper is responsible for seeing that the magazine is operated and maintained in accordance with this Part and that all reports and records are made and kept in accordance with Subpart I of this Part.

## Section 200.601. Security Precautions

## a) Inspection.

All magazines containing explosive materials shall be inspected at least every 7 calendar days to determine whether there has been an unauthorized entry or attempted entry into the magazines; or to determine whether there has been unauthorized removal of the magazines or their contents. This inspection does not require a physical inventory unless there is evidence of unauthorized entry or removal.

## b) Locks.

Magazine doors shall be kept locked, except during the placement or removal of explosive materials, or during inspections or inventories.

## Section 200.602. Safety Precautions - General

## a) Safety Rules.

Safety rules (available from the Department) covering the operations of magazines shall be posted on the interior of the magazine door.

## b) Warning Signs.

The premises upon which all outdoor magazines are located shall be posted with signs reading "Explosives - Keep Off", or "Explosives - Magazine - Dangerous" or other similar words of warning.

## c) Combustible, Sparking Materials, Equipment.



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Magazines shall be used exclusively for the storage of explosive materials and blasting accessories. No metal tools other than nonferrous conveying equipment may be stored in the magazine unless protected by a non-sparking paint. Combustible materials shall not be stored within 50 feet of magazines.

- d) Smoking, flames.
- Smoking, matches, open flames, spark-producing devices, and firearms shall not be permitted inside of or within 50 feet of magazines, except that authorized persons may carry firearms within 50 feet of but not inside a magazine.
- e) Unstable, Leaking Materials.
- When explosive materials have deteriorated to an extent that they are in an unstable or dangerous condition, or any liquid leaks from any explosive material, then the person in possession of such explosive material shall immediately proceed to deal with such explosive material in accordance with the instructions of the manufacturer. Only experienced persons shall direct the work of destroying explosive materials.

## Section 200.603. Safety Precautions - Handling and Storage

- a) Use of Stocks.
- When explosive material is removed from a magazine for use, the oldest stocks shall be removed first.
- b) Like Stocks Together.
- Corresponding grades and brands shall be stored together and in such a manner that brand and grade marks are visible. All stocks shall be stored so as to be easily counted and checked.
- c) Stacking.
- Containers of explosive materials shall be stacked in a stable manner to prevent shifting or falling. Rigid containers of explosive materials shall be laid flat, and cases with top side up.
- d) Ventilation.
- Explosive materials shall be stored within a magazine so as not to interfere with required ventilation.
- e) Black Powder.

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Black powder, when stored in the same magazine with other explosive material, shall be stacked separately.

- f) Containers.
- Containers of explosive materials which have been opened shall be securely closed before being placed in a magazine. Only fiberboard containers may be opened in the magazine.
- g) Damaged Containers.
- Containers of damaged explosive materials shall not be unpacked or repacked in, or within 50 feet of, a magazine or in close proximity to other explosive materials.
- h) Non-Sparking Tools.
- Tools used for opening containers of explosive materials shall be constructed of non-sparking material, except that metal slitters may be used for opening fiberboard containers provided that the metal slitter does not come into contact with any metallic fasteners which may be in or part of the case. Only a wooden wedge and a fiber, rubber, or wooden mallet shall be used for opening or closing wood containers of explosive materials.

## i) Stained Floors.

Magazine floors stained with liquid shall be dealt with according to instructions of the manufacturer.

## Section 200.604. Magazine Maintenance and Repair

- a) Sweeping, Cleaning.
- Magazine floors shall be regularly swept, kept clean, dry, free of grit, paper and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings of explosive materials from the floors of magazines shall be disposed of in accordance with the instructions of the manufacturer.
- b) Exterior Maintenance.
- The land within 25 feet of any magazine shall be kept clear of rubbish, brush, dried grass, leaves, dead trees, and all live trees less than ten feet high.
- c) Interior Repairs.

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When magazines need interior repairs, all explosive materials shall be removed therefrom and the floors cleaned before and after making repairs.

## d) Exterior Repairs.

In making exterior magazine repairs, when there is a possibility of causing sparks or fire, all explosive materials shall first be removed from the magazine.

## e) Storage During Repair.

Explosive materials removed from a magazine under repair shall either be placed in another magazine or placed a safe distance from the magazine, where they shall be properly guarded and protected until repairs have been completed. In determining safe distance, the type and extent of repair and the potential for production of spark or flame shall be considered, but in no event shall the distance be less than that specified in the American Table of Distances and the Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents. Upon completion of repairs, the explosive materials shall be properly returned to the magazine.

SUBPART H: TYPE 3 MAGAZINES AND VEHICLES  
AT BLAST AREAS

## Section 200.700. Requirements for Type 3 Magazines

a) Type 3 magazines are intended only for the temporary storage of explosive materials and are authorized for storage only during transport to and use at the blast area.

b) Type 3 magazines containing explosive materials must be attended at all times. For the purposes of this paragraph, "attended at all times" means that the magazine must at all times be within the line of sight and visible to a member of the work or blasting crew authorized to enter the magazine.

c) Type 3 magazines must be locked during transport to and from the permanent magazine and blast area except during continuous drilling and loading at the site. The requirements that Type 3 magazines be locked as specified in this paragraph are in addition to the requirements that Type 3 magazines be attended at all times.

d) Daily, at the conclusion of blasting operations all explosive materials shall be returned to a Type 1, 2, 4 or 5 magazine as appropriate for unattended storage.

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e) Type 3 magazines and blast areas shall be posted with warning signs in accordance with Section 200.602(b) of this Part.

## Section 200.701. On-Site Vehicles; Warning Signs

a) Every vehicle carrying explosive materials on mine, quarry, construction or other blast areas shall have the word "explosive" painted on or attached to all 4 sides of the vehicle in white letters at least 8 inches in height against a red background.

b) The requirements of subsection (a) above do not apply to any vehicle placarded in accordance with "AN ACT to require labeling of equipment and facilities for the use, transportation, storage and manufacture of hazardous materials and to provide for a uniform response system to hazardous materials emergencies", as amended (Ill. Rev. Stat. 1987, ch. 127, pars. 1251 et seq.).

## SUBPART I: RECORDKEEPING AND REPORTING

## Section 200.800. Possession of License

Licenses issued under Subpart B of this Part must be carried on the person at all times when the original licensee is purchasing, possessing, using or transferring explosive materials.

## Section 200.801. Posting of Storage Certificate

The original storage certificate issued under Subpart C of this Part must be posted in the magazine for which the certificate was issued, or kept at the magazine keeper's principal place of business (or residence if no separate business office is maintained). If the original storage certificate is kept at the magazine keeper's principal place of business or residence, a copy shall be posted in the magazine.

## Section 200.802. Report of Lost, Stolen or Destroyed License or Storage Certificate

a) Upon discovery that a license or storage certificate has been lost, stolen or destroyed, the holder must notify the Department within 5 business days.

b) The written notice shall be executed under penalties of perjury and include a description of the time, location and circumstances surrounding the loss, theft or destruction of the license or certificate.



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- c) Upon receipt of the notice, the Department will cancel the license or storage certificate, and upon payment of the required fee, will issue a new original license or storage certificate with a newly assigned license or certificate number.
- d) At any time a lost or stolen certificate is found or recovered, it must be returned to the Department.

Section 200.803. Worn or Damaged License or Storage Certificate

At any time a license or storage certificate becomes worn or damaged to the extent that it is illegible in any respect, it must be returned to the Department. Upon receipt of the original license or storage certificate the Department will issue a duplicate original.

Section 200.804. Report of Changed Conditions; Cancellation or Modification of Storage Certificate

- a) The holder of a certificate of storage shall notify the Department of any changed condition affecting the certificate of storage. Changed conditions include the relocation of a magazine, the construction of additional magazines, and the construction and/or opening of an inhabited building, highways or railways affecting the distance requirements set forth in Section 200.402 of this Part.

- b) Notification shall be in writing and shall be made as soon as practically possible after discovery of the changed condition, but in any event no later than 5 business days prior to the intended relocation or addition of magazines, or the scheduled habitation or public opening of buildings, highways and railways.

- c) In circumstances in which the holder had no notice of a changed condition affecting the certificate of storage, the holder shall contact the Department immediately by telephone.

- d) Upon notification, the Department will conduct an inspection and will cancel or modify the certificate of storage as appropriate. Modification may include relocation, reduction of the quantity of explosive materials which may be stored and the requirement of a barricade.

Section 200.805. Report of Theft or Loss of Explosive Materials

- a) A licensee or certificate holder shall report the theft or loss of explosive materials to the Department within 24 hours of discovery by telephone and in writing.
- b) The written notice shall be executed under penalties of perjury on

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forms provided by the Department and shall include a complete description of the explosive materials, including the manufacturer, brand name, any manufacturer marking, and quantity, and the circumstances surrounding the theft or loss. The written notice shall also identify local law enforcement agencies contacted by the licensee or certificate holder.

- c) The requirements of subsection (b) above shall be satisfied, for any person holding a license or permit issued by BATF, by filing with the Department a copy of written notification to BATF.

Section 200.806. Records of Transactions - Licensees and Certificate Holders

- a) Every licensee and holder of a storage certificate shall maintain a record of each transaction in which explosive materials are sold, purchased or otherwise transferred. The record shall be made on a sales slip, delivery ticket, invoice, BATF transaction record form, or other document and shall include:

- 1) the name and address of the seller or person from whom the explosive materials were procured;
- 2) the name, address and license or certificate number (with expiration date) of the purchaser or person to whom the explosive materials were delivered;
- 3) the date of purchase or delivery; and
- 4) the quantity and description of the explosive materials.

- b) In the case of a licensee the transaction record shall be kept with the explosive materials and shall be produced by the licensee upon request.

- c) Records of transactions for each license or certificate shall be kept and maintained for a minimum of one year from the date of the transaction.

- d) The requirements of this Section shall not apply to any license or storage certificate holder who is a holder of a license or permit issued by BATF and who satisfies the recordkeeping requirements for transactions of explosive materials prescribed by BATF.

Section 200.807. Daily Summary of Magazine Transactions

- a) A record of daily transactions shall be kept for each magazine other than a Type 3 magazine. The record shall contain, by manufacturer or brand name, the total quantity of explosive materials received in and



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removed from the magazine, and the total remaining on hand at the end of the day. Any discrepancy which indicates a theft or loss of explosive materials must be reported in accordance with Section 200.805 of this Part.

- b) The requirements of this Section shall not apply to a storage certificate holder who is a holder of a license or permit issued by BATF and who satisfies the requirements for making daily summaries of magazine transactions prescribed by BATF, but such compliance will not relieve the holder from making any reports under Section 200.805 of this Part.

Section 200.808. Transactions - Black Powder

- a) In lieu of the requirements of Sections 200.806 and 200.807 of this Part, a holder of a storage certificate who engages in the sale of black powder in quantities not exceeding 5 pounds for sporting and recreational uses shall maintain a record of each transaction. The record shall be made in a book or ledger kept for that purpose and shall include:

- 1) the name, address and storage certificate number of the seller;
- 2) the name and address of the purchaser;
- 3) the Firearm Owners Identification (FOID) card number of the purchaser if the purchaser is a resident of Illinois, or other positive identification if the purchaser is a non-resident;
- 4) the date of purchase; and
- 5) the quantity of black powder transacted.

- b) Records of transactions shall be kept in chronological order and maintained for a minimum of one year from the date of the transaction at the storage site.

Section 200.809. Record of Annual Physical Magazine Inventory

- a) The holder of a storage certificate shall conduct and make a complete record of the physical inventory of explosive materials annually during the 6 month renewal period. If the inventory is conducted at the time of or prior to the annual inspection provided for in Section 200.206, the record shall be made available to the Department at the annual inspection. If the inventory is conducted after the annual inspection is completed, the holder shall submit a copy to the Department prior to the last day of February.

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- b) In addition, the holder of a certificate of storage shall conduct and make a complete record of the physical inventory whenever the Department or holder has reason to believe, based on a personal observation, a review of records, or information received from other persons, that explosive materials may be lost or stolen from a magazine. The holder of a certificate of storage shall also conduct and make a complete record of the physical inventory upon the request of the Department, based on the same beliefs. A special inventory conducted and recorded under this subsection satisfies the annual inventory requirement if it is conducted and recorded during the 6 month renewal period.

- c) The annual inventory requirements of subsection (a) above shall not apply to a storage certificate holder who is a holder of a license or permit issued by BATF and who satisfies the annual and special inventory requirements prescribed by BATF, but such compliance will not relieve the holder of a storage certificate from the obligation of conducting special inventories in accordance with subsection (b) above.

Section 200.810. Inspections

Licenses and certificate holders shall make all required records available to authorized representatives of the Department and shall permit their facilities to be inspected at reasonable times and in a reasonable manner by representatives of the Department.

SUBPART J: RULES OF PROCEDURE IN ADMINISTRATIVE HEARINGS

Section 200.900. Notice of Department's Intended Action; Contents and Service

Whenever the Department intends to refuse to issue or renew a license or certificate, to suspend or revoke a license or certificate, or to assess administrative fines against a holder of a license or certificate, the Department shall give written notice to the applicant or holder personally or by certified mail sent to the applicant or holder's last known address. The notice shall include:

- a) The specific grounds upon which the Department's intended action is based.
- b) The action the Department intends to take, including the amount of any fine the Department intends to impose.
- c) A statement that the applicant or holder may request a hearing to appeal the Department's intended action by filing a written request within 15 days after receipt of notice of such action.

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- d) A statement that the applicant or holder's failure to make a written request for a hearing within 15 days after receipt of the notice of the Department's intended action will constitute a waiver of the applicant or holder's rights to contest such action and will result in the entry of a final administrative decision affirming the relief set forth, which shall be conclusively presumed to be correct.

Section 200.901. Request for Hearing on Department's Intended Action; Contents and Service

The request for a hearing shall be in writing. shall admit or deny matters alleged by the Department, and may also include any related explanatory information. The request for hearing shall be delivered personally or by mail sent to the Department at the address indicated in the notice.

Section 200.902. Notice of Hearing

Written notice setting forth the date, time, place, nature of the hearing and the name and address of the hearing officer shall be mailed to an applicant or holder making a timely written request for hearing at least 14 days prior to the scheduled hearing date.

Section 200.903. Postponement or Continuance of Hearing

A hearing may be postponed or continued for due cause by the Hearing Officer upon his own motion or upon the motion of a party to the hearing. A motion filed by a party to the hearing shall set forth facts attesting that the request for continuance is not for the purpose of delay. Except in the case of an emergency, motions requesting postponement or continuance shall be made in writing and shall be received by all parties to the hearing at least 3 business days prior to the scheduled hearing date. All parties involved in a hearing shall avoid undue delay caused by repetitive postponements or continuances so that the subject matter of the hearing may be resolved expeditiously.

Section 200.904. Hearing Officer; Powers and Duties

- a) The Hearing Officer designated to preside over a hearing shall take all necessary action to avoid delay, to maintain order, and to develop a clear and complete record, and shall have all powers necessary and appropriate to conduct a fair hearing, including the following:

- 1) To administer oaths and affirmations;
- 2) To receive relevant evidence;

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- 3) To regulate the course of the hearing and the conduct of the parties and their counsel therein;
  - 4) To consider and rule upon procedural requests;
  - 5) To hold conferences for the settlement or simplification of the issues; and
  - 6) To examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitive or cumulative testimony and set reasonable limits on the amount of time each witness may testify.
- b) All participants in the hearing shall have the right to be represented by counsel, or by some other authorized representative.
- c) The Hearing Officer shall allow all parties to present statements, testimony, evidence and argument as may be relevant to the proceeding.

Section 200.905. Pre-Hearing Conferences

- a) Upon his own motion or the motion of a party, the Hearing Officer shall direct the parties or their counsel to meet with him for a conference in order to:
- 1) Simplify the factual and legal issues presented by the hearing request;
  - 2) Receive stipulations, admissions of fact and of the contents and authenticity of documents;
  - 3) Exchange lists of all witnesses the parties intend to have testify and copies of all documents the parties intend to introduce into evidence at the hearing; and
  - 4) Discuss and resolve such other matters as may tend to expedite the disposition of the hearing request and to assure a just conclusion thereof.
- b) Pre-hearing conferences may be held by telephone conference if such procedure is acceptable to all of the parties.

Section 200.906. Burden and Standard of Proof

The Department shall have the burden of proof at the hearing. The standard for decision shall be a preponderance of the evidence.



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## Section 200.907. Default

If a party, after proper service of notice, fails to appear at a pre-hearing conference or at a hearing, and if no continuance is granted, the Department may then proceed and make its decision in the absence of such party. If the failure to appear at such pre-hearing conference or hearing is due to emergency situation beyond the parties' control, and the Department is notified of such situation on or before the scheduled pre-hearing conference or hearing date, the pre-hearing conference or hearing will be continued or postponed pursuant to Section 200.903. Emergency situations include sudden unavailability of counsel, sudden illness of a party or his representative, or similar situations beyond the parties control.

## Section 200.908. Evidence

- a) Admissibility: A party shall be entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence may be received but a presiding Hearing Officer shall exclude evidence which is irrelevant, immaterial or unduly repetitious. The rules of evidence and privileges applied in civil cases in the courts of the State of Illinois shall be followed; however, evidence not admissible under such rules of evidence may be admitted, except where precluded by statute, if it is of a type commonly relied upon by reasonable, prudent men in the conduct of their affairs. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, a Hearing Officer shall allow evidence to be received in written form.

- b) Official Notice: Official notice may be taken of any material fact not appearing in evidence in the record if the circuit courts of this State could take judicial notice of such fact. In addition, notice may be taken of generally recognized technical or scientific facts within the Department's specialized knowledge.

## Section 200.909. Briefs

The Hearing Officer may require or allow parties to submit written briefs to the Hearing Officer within ten (10) days after the close of the hearing or within such other time as the Hearing Officer shall determine as being consistent with the Department's responsibility for an expeditious decision.

## Section 200.910. Hearing Officer's Decision

- a) At the conclusion of all hearings conducted under this Subpart, the Hearing Officer shall issue proposed findings of fact, conclusions of law and a recommended final administrative decision for submittal to

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the Director.

- b) In issuing his findings, conclusions and recommendation, the Hearing Officer shall not be strictly bound by the actions or relief set forth in the original notice of the Department's intended action. Such findings, conclusions and recommendation may include remedies in addition to or different from those originally sought if they are supported by the evidence.

- c) The provisions of subsection (b) above shall not apply when the findings, conclusions and recommendation are issued after the applicant or holder fails to request a hearing or fails to appear at a properly scheduled hearing. In such cases the Department shall be bound by the actions or relief set forth in the original notice of the Department's intended action.

## Section 200.911. Final Administrative Decision

- a) The Director shall issue a final administrative decision within 30 days after receiving the hearing officer's proposed findings of fact, conclusions of law and recommended final administrative decision.

- b) In issuing his final administrative decision, the Director shall not be strictly bound by the actions or relief set forth in the original notice of the Department's intended action. Such final administrative decision may include remedies in addition to or different from those originally sought if they are supported by the evidence.

- c) The provisions of subsection (b) above shall not apply when the final administrative decision is issued after the applicant or holder fails to request a hearing or fails to appear at a properly scheduled hearing. In such cases the Department shall be bound by the actions or relief set forth in the original notice of the Department's intended action.

## Section 200.912. Administrative Fines

- a) Administrative fines shall only be assessed against license and certificate holders for acts or omissions that constitute violations of the Act and of this Part. Administrative fines shall not be assessed against any applicant or holder of a license or certificate based solely upon a failure to satisfy the requirements for the issuance of a license or storage certificate.

- b) The Department shall determine whether or not to assess administrative fines against license or certificate holders based upon the following factors:



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- 1) the license or certificate holder's history of previous violations;
- 2) the seriousness of the violation;
- 3) the degree of culpability of the license or certificate holder; and
- 4) evidence of any additional conditions or factors in aggravation or mitigation of the violation.

c) All fines assessed by the Department shall be computed as follows:

- 1) Administrative violations, including, but not limited to, the failure to properly keep records, failure to make required inspections, and failure to submit required reports to the Department in a timely fashion shall result in the assessment of a fine of up to \$100 for the first offense, up to \$250 for the second offense and up to \$500 for the third and any subsequent offenses. Notwithstanding these limitations, if the violation resulted in a threat of serious and immediate injury to persons or property, and the Department makes a finding to that effect, then the provisions of subsection (c)(3) below shall apply.
- 2) Violations of the requirements for the possession, handling, use, storage, and transfer of explosive materials not involving a threat of serious or immediate injury to persons or property, including, but not limited to, failure to properly maintain and repair magazines and their premises, failure to take proper transport explosive materials and failure to take proper security and safety precautions in the handling and storage of explosive materials, shall result in the assessment of a fine of up to \$250 for the first offense, up to \$500 for the second offense, and up to \$1,000 for the third and any subsequent offenses.
- 3) Violations of the requirements for the possession, handling, use, storage and transfer of explosive materials which result in a threat of immediate and serious injury to persons or property shall result in an assessment of a fine of up to \$1,000 for the first offense and up to \$5,000 for the second and any subsequent offense.
- d) For violations described in subsection (c)(3) above, an administrative fine shall not be the exclusive disposition of any disciplinary action for the second and any subsequent violation.

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Section 200.913. Immediate Suspension Without Notice of Hearing

- a) Whenever the Department finds, based upon a reasonable belief from on-site observation, record inspection by Department personnel, information received from law enforcement personnel or information received from the public, that a license or certificate holder's violation of the Act or this Part may cause death or serious injury, the Department shall issue an order immediately suspending the license or certificate.
- b) The Department shall serve its order of immediate suspension of a license or certificate under this Section by personal service. Such order shall also be sent by certified mail to the license or certificate holder's last known address.
- c) The Department shall serve with the order of immediate suspension a notice containing the information set forth in Section 200.900(a) through (d) of this Part. The notice will also inform the license or certificate holder that the failure to request a hearing in accordance with Section 200.900(c) of this Part shall result in the automatic issuance of a final administrative decision revoking the license or certificate.
- d) Any occurrence of a violation described in Section 200.912(c)(3) of this Part constitutes grounds for the immediate suspension of a license or certificate. A second or subsequent occurrence of a violation described in Section 200.912(c)(3) of this Part requires the Department to immediately suspend a license or certificate.

Section 200.914. Computation of Time

- a) Except as otherwise provided, computation of time under this Subpart is based upon calendar days.
- b) In computing any period of prescribed time, the day on which the designated period of time begins is not included. The last day of the period is included unless it is a Saturday, Sunday, or legal holiday on which the Department is not open for business, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday.
- c) Intermediate Saturdays, Sundays, and legal holidays are excluded from the computation of time when the prescribed time period is 7 days or less.
- d) A business day is any day the Department is open for business.

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## Section 200. APPENDIX A American Table of Distances for Storage of Explosive Materials

QUANTITY OF EXPLOSIVE MATERIALS		DISTANCES IN FEET									
Pounds Over	Pounds Not Over	Isolated Buildings			Public Highway Class A & D			Passenger Railroads - Less Than 1000 White Cars			Separation of Buildings
		Buried	Unburied - Covered	Unburied - Open	Buried	Unburied - Covered	Unburied - Open	Buried	Unburied - Covered	Unburied - Open	
7	5	70	140	30	60	51	107	107	107	6	12
5	10	90	180	35	70	64	128	128	128	8	16
10	20	110	220	45	90	81	162	162	162	10	20
20	40	130	260	55	110	103	206	206	206	12	24
30	50	150	300	65	130	119	238	238	238	14	28
40	75	170	340	75	150	127	254	254	254	15	30
50	100	190	380	85	170	139	278	278	278	16	32
75	125	200	400	95	190	150	300	300	300	18	36
100	150	215	430	105	210	159	318	318	318	19	38
125	175	230	460	115	230	171	340	340	340	21	42
150	200	245	490	125	250	183	362	362	362	22	44
200	300	270	540	140	280	201	402	402	402	24	48
250	400	295	590	160	320	221	442	442	442	27	54
300	500	320	640	180	360	240	482	482	482	29	58
400	600	340	680	200	400	253	508	508	508	31	62
500	700	355	710	220	440	266	532	532	532	32	64
600	800	375	750	240	480	278	556	556	556	33	66
700	900	390	780	260	520	289	578	578	578	34	68
800	1,000	400	800	280	560	300	600	600	600	35	70
900	1,100	415	830	300	600	310	624	624	624	36	72
1,000	1,200	425	850	320	640	318	648	648	648	37	74
1,200	1,400	450	900	360	720	336	672	672	672	39	78
1,400	1,600	470	940	400	800	351	702	702	702	41	82
1,600	1,800	490	980	440	880	366	732	732	732	43	86
1,800	2,000	505	1,010	480	960	378	756	756	756	44	88
2,000	2,200	525	1,050	520	1,040	388	780	780	780	45	90
2,200	2,400	540	1,080	560	1,120	396	804	804	804	46	92
2,400	2,600	555	1,110	600	1,200	404	828	828	828	47	94
2,600	2,800	570	1,140	640	1,280	412	852	852	852	48	96
2,800	3,000	585	1,170	680	1,360	420	876	876	876	49	98
3,000	3,200	600	1,200	720	1,440	428	900	900	900	50	100
3,200	3,400	615	1,230	760	1,520	436	924	924	924	51	102
3,400	3,600	630	1,260	800	1,600	444	948	948	948	52	104
3,600	3,800	645	1,290	840	1,680	451	972	972	972	53	106
3,800	4,000	660	1,320	880	1,760	459	996	996	996	54	108
4,000	4,200	675	1,350	920	1,840	467	1,020	1,020	1,020	55	110
4,200	4,400	690	1,380	960	1,920	475	1,044	1,044	1,044	56	112
4,400	4,600	705	1,410	1,000	2,000	483	1,068	1,068	1,068	57	114
4,600	4,800	720	1,440	1,040	2,080	491	1,092	1,092	1,092	58	116
4,800	5,000	735	1,470	1,080	2,160	499	1,116	1,116	1,116	59	118
5,000	5,200	750	1,500	1,120	2,240	507	1,140	1,140	1,140	60	120
5,200	5,400	765	1,530	1,160	2,320	515	1,164	1,164	1,164	61	122
5,400	5,600	780	1,560	1,200	2,400	523	1,188	1,188	1,188	62	124
5,600	5,800	795	1,590	1,240	2,480	531	1,212	1,212	1,212	63	126
5,800	6,000	810	1,620	1,280	2,560	539	1,236	1,236	1,236	64	128
6,000	6,200	825	1,650	1,320	2,640	547	1,260	1,260	1,260	65	130
6,200	6,400	840	1,680	1,360	2,720	555	1,284	1,284	1,284	66	132
6,400	6,600	855	1,710	1,400	2,800	563	1,308	1,308	1,308	67	134
6,600	6,800	870	1,740	1,440	2,880	571	1,332	1,332	1,332	68	136
6,800	7,000	885	1,770	1,480	2,960	579	1,356	1,356	1,356	69	138
7,000	7,200	900	1,800	1,520	3,040	587	1,380	1,380	1,380	70	140
7,200	7,400	915	1,830	1,560	3,120	595	1,404	1,404	1,404	71	142
7,400	7,600	930	1,860	1,600	3,200	603	1,428	1,428	1,428	72	144
7,600	7,800	945	1,890	1,640	3,280	611	1,452	1,452	1,452	73	146
7,800	8,000	960	1,920	1,680	3,360	619	1,476	1,476	1,476	74	148
8,000	8,200	975	1,950	1,720	3,440	627	1,500	1,500	1,500	75	150
8,200	8,400	990	1,980	1,760	3,520	635	1,524	1,524	1,524	76	152
8,400	8,600	1,005	2,010	1,800	3,600	643	1,548	1,548	1,548	77	154
8,600	8,800	1,020	2,040	1,840	3,680	651	1,572	1,572	1,572	78	156
8,800	9,000	1,035	2,070	1,880	3,760	659	1,596	1,596	1,596	79	158
9,000	9,200	1,050	2,100	1,920	3,840	667	1,620	1,620	1,620	80	160
9,200	9,400	1,065	2,130	1,960	3,920	675	1,644	1,644	1,644	81	162
9,400	9,600	1,080	2,160	2,000	4,000	683	1,668	1,668	1,668	82	164
9,600	9,800	1,095	2,190	2,040	4,080	691	1,692	1,692	1,692	83	166
9,800	10,000	1,110	2,220	2,080	4,160	699	1,716	1,716	1,716	84	168
10,000	10,200	1,125	2,250	2,120	4,240	707	1,740	1,740	1,740	85	170
10,200	10,400	1,140	2,280	2,160	4,320	715	1,764	1,764	1,764	86	172
10,400	10,600	1,155	2,310	2,200	4,400	723	1,788	1,788	1,788	87	174
10,600	10,800	1,170	2,340	2,240	4,480	731	1,812	1,812	1,812	88	176
10,800	11,000	1,185	2,370	2,280	4,560	739	1,836	1,836	1,836	89	178
11,000	11,200	1,200	2,400	2,320	4,640	747	1,860	1,860	1,860	90	180
11,200	11,400	1,215	2,430	2,360	4,720	755	1,884	1,884	1,884	91	182
11,400	11,600	1,230	2,460	2,400	4,800	763	1,908	1,908	1,908	92	184
11,600	11,800	1,245	2,490	2,440	4,880	771	1,932	1,932	1,932	93	186
11,800	12,000	1,260	2,520	2,480	4,960	779	1,956	1,956	1,956	94	188
12,000	12,200	1,275	2,550	2,520	5,040	787	1,980	1,980	1,980	95	190
12,200	12,400	1,290	2,580	2,560	5,120	795	2,004	2,004	2,004	96	192
12,400	12,600	1,305	2,610	2,600	5,200	803	2,028	2,028	2,028	97	194
12,600	12,800	1,320	2,640	2,640	5,280	811	2,052	2,052	2,052	98	196
12,800	13,000	1,335	2,670	2,680	5,360	819	2,076	2,076	2,076	99	198
13,000	13,200	1,350	2,700	2,720	5,440	827	2,100	2,100	2,100	100	200
13,200	13,400	1,365	2,730	2,760	5,520	835	2,124	2,124	2,124	101	202
13,400	13,600	1,380	2,760	2,800	5,600	843	2,148	2,148	2,148	102	204
13,600	13,800	1,395	2,790	2,840	5,680	851	2,172	2,172	2,172	103	206
13,800	14,000	1,410	2,820	2,880	5,760	859	2,196	2,196	2,196	104	208
14,000	14,200	1,425	2,850	2,920	5,840	867	2,220	2,220	2,220	105	210
14,200	14,400	1,440	2,880	2,960	5,920	875	2,244	2,244	2,244	106	212
14,400	14,600	1,455	2,910	3,000	6,000	883	2,268	2,268	2,268	107	214
14,600	14,800	1,470	2,940	3,040	6,080	891	2,292	2,292	2,292	108	216
14,800	15,000	1,485	2,970	3,080	6,160	899	2,316	2,316	2,316	109	218
15,000	15,200	1,500	3,000	3,120	6,240	907	2,340	2,340	2,340	110	220
15,200	15,400	1,515	3,030	3,160	6,320	915	2,364	2,364	2,364	111	222
15,400	15,600	1,530	3,060	3,200	6,400	923	2,388	2,388	2,388	112	224
15,600	15,800	1,545	3,090	3,240	6,480	931	2,412	2,412	2,412	113	226
15,800	16,000	1,560	3,120	3,280	6,560	939	2,436	2,436	2,436	114	228
16,000	16,200	1,575	3,150	3,320	6,640	947	2,460	2,460	2,460	115	230
16,200	16,400	1,590	3,180	3,360	6,720	955	2,484	2,484	2,484	116	232
16,400	16,600	1,605	3,210	3,400	6,800	963	2,508	2,508	2,508	117	234
16,600	16,800	1,620	3,240	3,440	6,880	971	2,532	2,532	2,532	118	236
16,800	17,000	1,635	3,270	3,480	6,960	979	2,556	2,556	2,556	119	238
17,000	17,200	1,650	3,300	3,520	7,040	987	2,580	2,580	2,580	120	240
17,200	17,400	1,665	3,330	3,560	7,120	995	2,604	2,604	2,604	121	242
17,40											



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top of any sidewall of the building containing explosive materials to the eave line of any magazine or other building or to a point twelve feet above the center of a railway or highway shall pass through such barrier.

NOTE 9 - "Inhabited Building" means a building regularly occupied in whole or in part as a habitation for human beings, or any church, schoolhouse, railroad station, store, or other structure where people are accustomed to assemble, except any building or structure occupied in connection with the manufacture, transportation, storage or use of explosive materials.

NOTE 10 - "Railway" means any steam, electric, or other railroad or railway which carries passengers for hire.

NOTE 11 - "Highway" means any public street, public alley, or public road. "Public Highways Class A to D" are highways with average traffic volume of 3,000 or less vehicles per day as specified in "American Civil Engineering Practice" (Abbott, Vol. 1, Table 46, Sec. 3-74, 1956 Edition, John Wiley and Sons).

NOTE 12 - When two or more storage magazines are located on the same property, each magazine must comply with the minimum distances specified from inhabited buildings, railways, and highways, and, in addition, they should be separated from each other by not less than the distances shown for "Separation of Magazines," except that the quantity of explosive materials contained in detonator magazines shall govern in regard to the spacing of said detonator magazines are separated from each other by less than the specified "Separation of Magazines" distances, then such two or more magazines, as a group, must be considered as one magazine, and the total quantity of explosive materials stored in such group must be treated as if stored in a single magazine located on the site of any magazine of the group, and must comply with the minimum of distances specified from other magazines, inhabited buildings, railways, and highways.

NOTE 13 - Storage in excess of 300,000 lbs. of explosive materials, in one magazine is generally not required for commercial enterprises.

NOTE 14 - This Table applies only to the manufacture and permanent storage of commercial explosive materials. It is not applicable to transportation of explosives or any handling or temporary storage necessary or incident thereto. It is not intended to apply to bombs, projectiles, or other heavily encased explosives.

(NOTE: The American Table of Distances For Storage of Explosive Materials and accompanying Explanatory Notes are copyrighted materials reproduced with the permission of the Institute of Makers of Explosives.)

## DEPARTMENT OF MINES AND MINERALS

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Surface-Mined Land Conservation and Reclamation Act
- 2) Code Citation: 62 Ill. Adm. Code 300
- 3) Section Numbers Adopted Action  
300.40 Amended
- 4) Statutory Authority: Implementing Sections 1 et seq. and authorized by Section 12 of the Surface-Mined Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 4501 et seq.).
- 5) Effective Date of Amendments: February 22, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 22, 1990
- 9) Notice of Proposed Amendments Published in Illinois Register:  
November 27, 1989, 13 Ill. Reg.18103
- 10) Has JCAR issued a Statement of Objections to these rules? No.
- 11) Difference(s) between proposal and final version:  
A) In Section 300.40(d)(4)(C)(ii), the sentence was changed to "Any interest paid on a cash account shall be returned to the permittee."
- 12) Have all changes agreed upon by JCAR and the agency been made as indicated in the agreement letter issued by JCAR to the agency? Yes
- 13) Will these Amendments replace an Emergency Amendment currently in effect?:  
No
- 14) Are there any amendments pending on this part? No
- 15) Summary and Purpose of Rule(s):  
Amendments to the Surface-Mined Land Conservation and Reclamation Act, effective January 1, 1990, provide that aggregate mining operations may, in order to comply with the Act's bonding requirements, deposit with the Department irrevocable letters of credit in lieu of surety bonds.

Section 300.40 contains the Department's rules specifying the bonding requirements for aggregate mining operations. The proposed amendments to



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Section 300.40 respond to changes in the Surface-Mined Land Conservation and Reclamation Act, as well as attempt to improve the clarity and organization of the Department's rules.

The proposed amendments include a section defining terms used throughout the Section. The proposed definitions are necessary for clarity of the Department's bonding requirements. Additionally, the proposed amendments set forth requirements applicable to the various securities which are accepted in lieu of surety bonds.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: John C. Lynch  
Rules Coordinator

Address: 300 W. Jefferson, Suite 300  
P.O. Box 10137  
Springfield, IL 62791-0137

Telephone: (217) 782-0125

The full text of the Adopted Amendments begin on the next page:

PART 300  
SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT

Section  
300.10 Introduction  
300.20 Permits  
300.30 Fees  
300.40 Bonds  
300.50 Permit Application Requirements  
300.60 Role of County Government in Reclamation  
300.70 Departmental Consideration of Reclamation Plans  
300.80 Public Filing of Approved Plans  
300.90 Amendments to Permits  
300.100 Reclamation Planning  
300.120 Criteria for Types of Land Reclamation  
300.130 Reclamation of Gob Disposal Areas and Outside Slopes of All Overburden Deposition Areas

300.140 Reclamation of Slurry Pond Disposal Areas  
300.150 Water Impoundment Structures  
300.160 Affected Acreage Map  
300.170 Violations and Forfeiture  
300.180 Bond Release Procedure

ILLUSTRATION A Tree Sampling Procedure  
ILLUSTRATION B Typical Sections

AUTHORITY: Implementing and authorized by the Surface-Mined Land Conservation and Reclamation Act (Ill. Rev. Stat. 1987, ch. 96 1/2, pars. 4501 et seq.).

SOURCE: Adopted January 6, 1976; codified at 8 Ill. Reg. 4507; amended at 14 Ill. Reg. 3548, effective February 22, 1990

Section 300.40 Bonds

## a) Bonds Generally

Bonds or security shall be in keeping with the Act and this Part. Each application for a permit shall require a separate bond or security. Bonds shall be issued to coincide with the permit period.

## b). Bond Calculation

The amount of bond or security required to be filed with the Department before any surface mining or refuse disposal permit is issued shall be from \$600 to \$5,000 per acre or fractional part

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thereof, the exact amount to be determined by the Director after considering the various factors relating to the predictable reclamation cost. The Director shall notify the applicant of the amount of the bond or security which must be filed by the applicant before a permit will be issued.

c) Definitions

- 1) Bond means surety bond or other security in lieu thereof.
- 2) Surety bond means an indemnity agreement in a sum certain payable to the Department, executed by the permittee as principal and which is supported by the performance guarantee of a corporation licensed to do business as a surety in Illinois.
- 3) Other security means an indemnity agreement in a sum certain executed by the permittee as principal which is supported by the deposit with the Department of one or more of the following:
  - A) A cash account, which shall be the deposit of cash in one or more federally-insured or equivalently protected accounts, payable only to the Department upon demand, or the deposit of cash directly with the Department;
  - B) Negotiable government securities, endorsed to the order of, and placed in the possession of, the Department;
  - C) An irrevocable letter of credit of any bank organized or authorized to transact business in Illinois, payable only to the Department upon presentation;
  - D) Certificates of deposit, drawn on a federally insured bank, made payable or assigned to the Department and placed in its possession.

e) d) Bond Requirements1) Form

Bonds required to be filed with the Department shall be in such form and content as the Director prescribes payable to the "People of the State of Illinois."

2) Conditions Generally

- A) Each bond shall conform with the requirements of the Act and this Part and with the declared purpose for which the application for a the permit is filed, and shall be in the

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amounts prescribed by the Act and established by the Director governing such purpose and the proposed area affected. Further, each bond shall provide that the bond shall not be cancelled by the surety except after not less than ninety (90) days notice to the Department. Such notice shall be served upon the Department in writing by registered or certified mail to the following address: set forth in Section 300-20(d) of this Part.

- 4) B) Bonds shall remain in effect until the affected lands have been reclaimed, approved and released by the Department, pursuant to the Act and this Part.

3) Surety Bond Requirements

- A) Bonds shall be signed by the operator as principal, and by a good and sufficient corporate surety, approved by the Director and licensed to do business in Illinois as surety.
- B) Each surety bond shall provide that the bond shall not be cancelled by the surety except after not less than ninety (90) days notice to the Department. Such notice shall be served upon the Department in writing by registered or certified mail to the following address: set forth in Section 300-20(d) of this Part.

Illinois Department of Mines and Minerals  
Land Reclamation Division  
300 W. Jefferson, Suite 300  
P.O. Box 10197  
Springfield, IL 62791-0197

- B) C) Not less than ten (10) days prior to the expiration of the ninety (90) days notice of cancellation, the operator must deliver to the Department a replacement bond. If such bond is not delivered, all surface mine operations and use of slurry ponds and gob disposal areas by that operator must cease. The replacement bond shall be accompanied by a letter from the bonding company acknowledging the bond is in lieu of a formerly cancelled bond and identifying the dates of the permit period which the bond is to cover.

- 5) D) Loss-of-Surety If the license to do business in Illinois of any surety upon a bond filed with the Department shall be suspended or revoked, the operator, within thirty (30) days after receiving notice thereof from the Department, shall substitute for any surety a good and sufficient corporate surety approved by the Director and licensed to do business

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in Illinois as a surety. Upon the failure of the operator to make said substitution of surety, the Department shall have the right to suspend the permit of the operator until substitution has been made.

Department both in writing and upon the records of the bank issuing the certificates. If assigned, the Department shall require the banks issuing these certificates to waive all rights of setoff or liens against those certificates.

## 4) Other Securities Requirements

A) Letters of credit shall be subject to the following conditions:

i) The letter may only be issued by a bank organized or authorized to do business in the United States ("issuing bank"). If the issuing bank does not have an office for collection in Illinois, there shall be a confirming bank designated that is authorized to accept, negotiate and pay the letter upon presentation in Illinois.

ii) Letters of credit shall be irrevocable during their terms. A letter of credit used as security in areas requiring continuous bond coverage shall be forfeited and shall be collected by the Department if not replaced by other suitable bond or letter of credit at least thirty (30) days before its expiration date.

iii) The letter of credit shall be payable to the Department upon demand, in part or in full, upon receipt from the Department of a notice of forfeiture issued in accordance with Section 300.170 of this Part.

iv) The letter of credit shall provide on its face that the Department, its lawful assigns, or the attorneys for the Department or its assigns, may sue, waive notice and process, appear on behalf of, and confess judgment against the issuing bank (and any confirming bank) in the event that the letter of credit is dishonored. The letter of credit shall be deemed to be made in Sangamon County, Illinois, for the purpose of enforcement and any actions thereon shall be enforceable in the Courts of Illinois, and shall be construed under Illinois law.

B) Certificates of deposit shall be subject to the following conditions:

i) The Department shall require that certificates of deposit be made payable to or assigned to the

C) Cash accounts shall be subject to the following conditions:

i) The Department may authorize the permittee to supplement the bond through the establishment of a cash account in one or more federally-insured or equivalently protected accounts made payable upon demand to, or deposited directly with, the Department.

ii) Any interest paid on a cash account shall be returned to the permittee.

iii) The Department shall not accept an individual cash account in an amount in excess of one hundred thousand dollars (\$100,000) or the maximum insurable amount as determined by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(Source: Amended at 14 Ill. Reg. 3548, effective February 22, 1990)



## POLLUTION CONTROL BOARD

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1) The Heading of the Part: Organic Material Emission Standards and Limitations.

2) The Code Citation: 35 Ill. Adm. Code 215

3) Section Number: Adopted Action:

215.104 Amended  
215.105 Amended  
215.585 New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111½, pars. 1010 and 1027

5) Effective Date of Rule(s) (Amendments, Repealer): February 27, 1990

6) Does this rulemaking contain an automatic repeal date?: No.

7) Does this rule (amendment, repealer) contain incorporations by reference? Yes.

If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking?

No. The incorporations by reference are pursuant to Section 6.02(a) of the APA, not pursuant to Section 6.02(b)

8) Date Filed in Agency's Principal Office: February 15, 1989.

9) Notice(s) of Proposal Published in Illinois Register: September 29, 1989, 13 Ill. Reg. 15249.

10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? No.

11) Difference(s) between proposal and final version:

a) In Section 215.105 the following was added:

15) ASTM D 4953-89

b) In Section 215.585(e) the section reading:

The Reid vapor pressure shall be measured in accordance with test method ASTM D323 or in the case of gasoline-oxygenate blends which contains

water-extractable oxygenates, a modification of ASTM D323 as set forth in 40 CFR 80, Appendix E, incorporated by reference in Section 215.105.

has been changed to read:

The Reid vapor pressure of gasoline shall be measured in accordance with either test method ASTM D323 or a modification of ASTM D323 known as the "dry method" as set forth in 40 CFR 80, Appendix E, incorporated by reference in Section 215.105. For gasoline-oxygenate blends which contain water-extractable oxygenates, the Reid vapor pressure shall be measured using the dry method test.

c) and Section 215.585(e)(1) and (2) which formerly read:

1) During the regulatory control period, document and clearly designate the Reid vapor pressure of all gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois. Any facility receiving this gasoline shall be provided with a copy of the accompanying document specifying the Reid vapor pressure.

2) Maintain records for a period of two years on the Reid vapor pressure, quantity shipped and date of delivery of any gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois. The Agency shall be provided with copies of such records if requested.

has been changed to read:

1) During the regulatory control period, state that the Reid vapor pressure of all gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois complies with the Reid vapor pressure limitations set forth in Section 215.585(b) and (c). Any facility receiving this gasoline shall be provided with a copy of an invoice, bill of lading, or other documentation used in normal business practice stating that the Reid vapor pressure of the gasoline complies with the State Reid vapor pressure standard.

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- 2) Maintain records for a period of one year on the Reid vapor pressure, quantity shipped and date of delivery of any gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois. The Agency shall be provided with copies of such records, if requested.

Section 215.585(a) is being revised to delete subparagraphs (1) and (2) as those two subparagraphs stated the same time periods. Subsection (a) now reads as a single paragraph establishing the regulatory control period as July 1 to August 31 of each year.

In Section 215.585(g) of language clarifying the standard by which the Agency shall approve alternatives to the sampling and testing methods, the following sentence has been added to the end of subsection (g):

If the Agency determines that such data demonstrates that the proposed alternative will achieve results equivalent to the approved test methods or procedures, the Agency shall approve the proposed alternative.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes
- 13) Will this rule (amendments, repealer) replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this part? Yes.

Section Numbers:	Proposed Action:	Ill. Reg. Citation:
215.206	Amendment	13 Ill. Reg. 12384
215.123	Amendment	13 Ill. Reg. 19081
215.102	Amendment	13 Ill. Reg. 16645
215.104	Amendment	13 Ill. Reg. 16645
215.105	Amendment	13 Ill. Reg. 16645
215.122	Amendment	13 Ill. Reg. 16645
215.124	Amendment	13 Ill. Reg. 16645
215.127	New Section	13 Ill. Reg. 16645
215.128	New Section	13 Ill. Reg. 16645
215.181	Amendment	13 Ill. Reg. 16645
215.206	Amendment	13 Ill. Reg. 16645

215.208	Amendment	13 Ill. Reg. 16645
215.211	Amendment	13 Ill. Reg. 16645
215.241	Amendment	13 Ill. Reg. 16645
215.404	Repealed	13 Ill. Reg. 16645
215.409	New Section	13 Ill. Reg. 16645
215.410	New Section	13 Ill. Reg. 16645
215.421	Amendment	13 Ill. Reg. 16645
215.432	Amendment	13 Ill. Reg. 16645
215.445	Amendment	13 Ill. Reg. 16645
215.447	Amendment	13 Ill. Reg. 16645
215.464	Amendment	13 Ill. Reg. 16645
215.467	New Section	13 Ill. Reg. 16645
215.581	Amendment	13 Ill. Reg. 16645
215.582	Amendment	13 Ill. Reg. 16645
215.584	Amendment	13 Ill. Reg. 16645
215.585	New Section	13 Ill. Reg. 16645
215.601	Amendment	13 Ill. Reg. 16645
215.602	Amendment	13 Ill. Reg. 16645
215.603	Amendment	13 Ill. Reg. 16645
215.606	Repealed	13 Ill. Reg. 16645
215.610	Amendment	13 Ill. Reg. 16645
215.614	New Section	13 Ill. Reg. 16645
215.615	New Section	13 Ill. Reg. 16645
215.620	Amendment	13 Ill. Reg. 16645
215.626	New Section	13 Ill. Reg. 16645
215.636	Amendment	13 Ill. Reg. 16645
215.886	Amendment	13 Ill. Reg. 16645
215.920	Amendment	13 Ill. Reg. 16645
215.926	Amendment	13 Ill. Reg. 16645
215.928	New Section	13 Ill. Reg. 16645
215.929	New Section	13 Ill. Reg. 16645
215.940	Amendment	13 Ill. Reg. 16645
215.946	Amendment	13 Ill. Reg. 16645
215.948	New Section	13 Ill. Reg. 16645
215.960	Amendment	13 Ill. Reg. 16645
215.966	Amendment	13 Ill. Reg. 16645
215.968	New Section	13 Ill. Reg. 16645

## 15) Summary and Purpose of Rule(s):

Ozone pollution is one of the nation's most serious and complex air pollution problems. Ozone is a photochemical oxidant and the major component of smog. Unlike other pollutants, ozone is not emitted directly into the atmosphere but is formed through chemical reactions among precursor emissions (volatile organic compounds or VOCs, nitrogen oxides, carbon monoxide and other compounds) in the presence

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of sunlight. The rate of ozone production is increased when atmospheric temperatures are warmer.

The hot summers of 1987 and 1988 resulted in high levels of ozone in the Chicago and Metro East non-attainment areas. Readings as high as 0.22 ppm by volume were recorded, which is some 83% above the federal and Illinois air quality standard of 0.12 ppm by volume. However, the ozone problem is not specific to Illinois. The United States Environmental Protection Agency (USEPA) estimates that there are more than 80 urban areas where the ozone air quality standard is being exceeded.

New and emerging scientific data is shedding more light on the effect high levels of ozone have on the general public. Ozone severely affects individuals with chronic heart, lung, and circulatory systems diseases. Otherwise healthy individuals who exercise while ozone levels are high can experience reduced functioning of the lungs, leading to chest pains, coughing, wheezing, and pulmonary congestion. In addition to the health effects, ozone has been estimated to cause two to three billion dollars worth of crop damage nationally each year. Also, because the Chicago area has exceeded the ozone standard repeatedly, USEPA has imposed a construction ban on the Chicago non-attainment area which prohibits the construction or modification of major air pollution sources and thus restricts the economic development of the Chicagoland area.

In its comments (P.C. 23), the Illinois Environmental Protection Agency (Agency) noted that in early 1970's, the average summertime RVP of gasoline was approximately 9.0 psi. However, with the phasing out of leaded gasoline, refiners began adding butane to meet octane requirements which increased the RVP levels. The Agency noted that it was well above 9.0 psi until late in 1987. As a result, Agency estimates of VOC emissions during the 1970's and 1980's from both stationary and mobile gasoline-related sources have been made using and RVP approximately 20-25% lower than actual RVP. Accordingly, those missions have been underestimated by approximately 20-25%. Thus, during this period that the Agency has been actively engaged in imposing reasonably available control technologies (RACT) on major sources of air pollution, the increase in gasoline RVP was causing a significant increase in the emission of ozone precursors. Much of the benefit of the RACT regulations was lost as a result. Reducing the summertime volatility of gasoline to 1970 levels is expected to correct this situation.

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To cure all of these ozone related problems, federal, state, and local governments have attempted to limit the emission of ozone precursors. One method of limiting such emissions is to reduce the volatility of gasoline. Volatility, generally speaking, is the rate at which a substance evaporates into the atmosphere -- the higher the volatility, the faster the evaporation. Reducing the volatility of gasoline sold in Illinois, and ultimately the country, is believed to be a giant step forward in solving the zone problem.

This rulemaking adopts a standard of 9.5 psi RVP for gasoline sold in Illinois during the months of July and August.

- 16) Information and questions regarding this adopted rule shall be directed to:

Daniel L. Siegfried  
100 W. Randolph Street  
State of Illinois Center  
Suite 11-500  
Chicago, IL 60601  
(312) 814-6923

The full text of the adopted rule(s) begins on the following page:



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## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER C: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

## PART 215

## ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS

## SUBPART A: GENERAL PROVISIONS

Section	Introduction
215.100	Clean-up and Disposal Operations
215.101	Testing Methods
215.102	Abbreviations and Conversion Factors
215.103	Definitions
215.104	Incorporation by Reference
215.105	Afterburners
215.106	Determination of Applicability
215.107	

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	Storage Containers
215.121	Loading Operations
215.122	Petroleum Liquid Storage Tanks
215.123	External Floating Roofs
215.124	Compliance Dates and Geographical Areas
215.125	Compliance Plan
215.126	

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section	Separation Operations
215.141	Pumps and Compressors
215.142	Vapor Blowdown
215.143	Safety Relief Valves
215.144	

## SUBPART E: SOLVENT CLEANING

Section	Solvent Cleaning in General
215.181	Cold Cleaning
215.182	Open Top Vapor Degreasing
215.183	Conveyorized Degreasing
215.184	

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## Compliance Plan

## SUBPART F: COATING OPERATIONS

Section	Compliance Schedules
215.202	Emission Limitations for Manufacturing Plants
215.204	Alternative Emission Limitations
215.205	Exemptions from Emission Limitations
215.206	Compliance by Aggregation of Emission Sources
215.207	Testing Methods for Solvent Content
215.208	Exemption from General Rule on Use of Organic Material
215.209	Alternative Compliance Schedule
215.210	Compliance Dates and Geographical Areas
215.211	Compliance Plan
215.212	Special Requirements for Compliance Plan
215.213	

## SUBPART H: SPECIAL LIMITATIONS FOR SOURCES IN MAJOR URBANIZED AREAS WHICH ARE NONATTAINMENT FOR OZONE

Section	Applicability
215.240	External Floating Roofs
215.241	Flexographic and Rotogravure Printing
215.245	Compliance Dates
215.249	

## SUBPART I: ADJUSTED RACT EMISSIONS LIMITATIONS

Section	Applicability
215.260	Petition
215.261	Public Hearing
215.263	Board Action
215.264	Agency Petition
215.267	

## SUBPART K: USE OF ORGANIC MATERIAL

Section	Use of Organic Material
215.301	Alternative Standard
215.302	Fuel Combustion Emission Sources
215.303	Operations with Compliance Program
215.304	Viscose Exemption (Repealed)
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AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111} pars. 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 205: Organic Material Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-3, 33 PCB 357, at 3 Ill. Reg. 18, p. 41, effective May 3, 1979; amended in R78-3 and R78-4, 35 PCB 75, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5 at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13601; Notice of Corrections at 7 Ill. Reg. 14575; amended in R82-14 at 8 Ill. Reg. 13254, effective July 12, 1984; amended in R83-36 at 9 Ill. Reg. 9114, effective May 30, 1985; amended in R82-14 at 9 Ill. Reg. 13960, effective August 28, 1985; amended in R85-28 at 11 Ill. Reg. 3127, effective February 3, 1987; amended in R82-14 at 11 Ill. Reg. 7296, effective April 3, 1987; amended in R85-21(A) at 11 Ill. Reg. 11770, effective June 29, 1987; recodified in R86-39 at 11 Ill. Reg. 13541; amended in R82-14 and R86-12 at 11 Ill. Reg. 16706, effective September 30, 1987; amended in R85-21(B) at 11 Ill. Reg. 19117, effective November 9, 1987; amended in R86-36, R86-39, R86-40 at 11 Ill. Reg. 20829, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 815, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7311, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7650,

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effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10893, effective June 27, 1989.; amended in R88-30(A) at 14 Ill. Reg. 3555, effective February 27, 1990.

## SUBPART A: GENERAL PROVISIONS

## Section 215.104 Definitions

The definitions of 35 Ill. Adm. Code 201 and 211 apply to this Part, as well as the definitions contained in this Section. Where the definitions contained in this Section are more specific than that found in 35 Ill. Adm. Code 201 or 211, it shall take precedence in application of this Part.

"Binders": Organic materials and resins which do not include volatile organic materials.

"Clear Topcoat": The final coating which contains binders, but not opaque pigments, and is specifically formulated to form a transparent or translucent solid protective film.

"Continuous Process": A method of manufacture of polystyrene resin in which the styrene raw material is delivered on a continuous basis to the reactor in which the styrene is polymerized to polystyrene.

"Conventional Soybean Crushing Source": Any hexane extraction soybean crushing equipment that uses direct contact steam for desolventizing and producing toasted soy meals.

"Ethanol blend gasoline" means a mixture of gasoline and at least 9% ethanol by volume.

"Furniture Coating Application Line": The combination of coating application equipment, flash-off area, spray boots, ovens, conveyors, and other equipment operated in a predetermined sequence for purpose of applying coating materials to wood furniture.

"Heatset": A class of web offset lithography which requires a heated dryer to solidify the printing inks.

"Heavy Liquid": Liquid with a true vapor pressure of less than 0.3 kpa (0.04 psi) at 294.3° K (70° F)

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established in a standard reference text or as determined by ASTM method D-2879; or which has 0.1 Reid Vapor Pressure as determined by ASTM method D-323; or which when distilled requires a temperature of 421.95K (300° F) or greater to recover 10% of the liquid as determined by ASTM method D-86.

"In Vacuum Service": For the purposes of Subpart Q, Sections 215.430 through 215.438 equipment which is operating at an internal pressure that is at least 5 kPa (0.73 psia) below ambient pressure.

"Light Liquid": Volatile organic material in the liquid state which is not defined as heavy liquid.

"Light Oil": A liquid condensed or absorbed from coke oven gas composed of benzene, toluene, and xylene.

"Material Recovery Section": Any equipment designed to transport and recover styrene monomer and other impurities from other products and by-products in a polystyrene plant, including but not limited to the styrene devolatilizer unit and styrene recovery unit.

"Offset": Use of a blanket cylinder to transfer ink from the plate cylinder to the surface to be printed.

"Opaque Stains": All stains containing pigments not classified as semi-transparent stains including stains, glazes and other opaque material to give character to wood.

"Open-Ended/Valve": Any valve, except pressure relief devices, having one side of the valve in contact with process fluid and one side open to the atmosphere, either directly or through open piping.

"Pigments Coatings": Opaque coatings containing binders and colored pigments which are formulated to conceal the wood surface either as an undercoat or topcoat.

"Polystyrene Plant": Any plant using styrene to manufacture polystyrene resin.

"Polystyrene Resin": A substance consisting of styrene polymer and additives which is manufactured at a polystyrene plant.

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"Reid vapor pressure": is the standardized measure of the vapor pressure of a liquid in pounds per square inch absolute (kPa) at 100° F (37.8° C).

"Repair Coatings": Coatings to correct imperfections or damage to furniture surface.

"Repaired": For the purposes of Subpart Q, Sections 215.430 through 215.438 equipment component which is adjusted or otherwise altered, to eliminate a leak.

"Retail Outlet": means any gasoline dispensing facility at which gasoline is sold or offered for sale for use in motor vehicles.

"Sealer": coating containing binders which seals the wood prior to application to subsequent coatings.

"Semi-transparent Stains": Stains containing dyes or semi-transparent pigments which are formulated to enhance wood grain and change the color of the surface but not to conceal the surface, including, but not limited to, sap stain, toner, non-grain raising stains, pad stain, spatter stain.

"Specialty Soybean Crushing Source": Any hexane extraction soybean crushing equipment using indirect steam heat in flash or vapor desolventizers as the primary method of desolventizing and producing specialty solvent extracted soy flakes, grits or flour.

"Styrene Devolatilizer Unit": Equipment performing the function of separating unreacted styrene monomer and other volatile components from polystyrene in a vacuum devolatilizer.

"Styrene Recovery Unit": Equipment performing the function of separating styrene monomer from other less volatile components of the styrene devolatilizer unit's output. The separated styrene monomer may be reused as a raw material in the polystyrene plant.

"Wash Coat": Coating containing binders which seals wood surfaces, prevents undesired staining and controls penetration.

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"Web": A substrate which is printed in continuous rolled presses.

"Wholesale Purchaser-Consumer": means any person or organization that purchases or obtains gasoline from a supplier for ultimate consumption or use in motor vehicles and receives delivery of the gasoline into a storage tank with a capacity of at least 550 gallons (2082 liters) owned and controlled by that person.

"Wood Furniture": Room furnishings including cabinets (kitchen, bath and vanity), tables, chairs, beds, sofas, shutters, art objects, wood paneling, wood flooring, and any other coated furnishings made of wood, wood composition or fabricated wood materials.

(Source: Amended at 14 Ill. Reg. 3555, effective February 27, 1990)

## Section 215.105 Incorporation by Reference

The following materials are incorporated by reference:

- a) American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103:

- 1) ASTM D 1644-59 Method A
- 2) ASTM D 1475-60
- 3) ASTM D 2369-73
- 4) ASTM D 2879-83 (Approved 1983)
- 5) ASTM D 323-82 (Approved 1982)
- 6) ASTM D 86-82 (Approved 1982)
- 7) ASTM E 260-73 (Approved 1973), E 168-67 (Reapproved 1977), E 169-63 (Reapproved 1981), E 20 (Approved 1985)
- 8) ASTM D 97-66
- 9) ASTM D 1946-67
- 10) ASTM D 2382-76

- 11) ASTM D 2504-83

- 12) ASTM D 2382-83

- 13) ASTM D 4057-81 (Approved 1981)

- 14) ASTM D 4177-82 (Approved 1982)

- 15) ASTM D 4953-89

- b) Federal Standard 141a, Method 4082.1.

- c) National Fire Codes, National Fire Prevention Association, Battery March Park, Quincy, Massachusetts 02269 (1979).

- d) United States Environmental Protection Agency, Washington, D.C., EPA-450/2-77-026, Appendix A (October 1977).

- e) United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-051 Appendix A and Appendix B (December 1978).

- f) Standard Industrial Classification Manual, published by Executive Office of the President, Office of Management and Budget, Washington, D.C., 1972

- g) 40 CFR 60, Appendix A (1986).

- h) United States Environmental Protection Agency, Washington D.C., EPA-450/2-78-041.

- i) 40 CFR 80, Appendices D, E, and F, adopted March 22, 1989 at 54 Fed. Reg. 11897.

BOARD NOTE: The incorporations by reference listed above contain no later amendments or editions.

(Source: Amended at 14 Ill. Reg. 3555, effective February 27, 1990)

(Source: Amended at 14 Ill. Reg. 3555, effective February 27, 1990)

## SUBPART Y: GASOLINE DISTRIBUTION

## Section 215.585 Gasoline Volatility Standards



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- a) No person shall sell, offer for sale, dispense, supply, offer for supply, or transport for use in Illinois gasoline whose Reid vapor pressure exceeds the applicable limitations set forth in subsections (b) and (c) during the regulatory control periods, which shall be July 1 to August 31 for retail outlets, wholesale purchaser-consumer facilities, and all other facilities.
- b) The Reid vapor pressure of gasoline, a measure of its volatility, shall not exceed 9.5 psi (65.5 kPa) during the regulatory control period in 1990 and each year thereafter.

- c) The Reid vapor pressure of ethanol blend gasolines shall not exceed the limitations for gasoline set forth in subsection (b) by more than 1.0 psi (6.9 kPa). Notwithstanding this limitation, blenders of ethanol blend gasolines whose Reid vapor pressure is less than 1.0 psi above the base stock gasoline immediately after blending with ethanol are prohibited from adding butane or any product that will increase the Reid vapor pressure of the blended gasoline.

- d) All sampling of gasoline required pursuant to the provisions of this Section shall be conducted by one or more of the following approved methods or procedures which are incorporated by reference in Section 215.105.

- 1) For manual sampling, ASTM D4057;
- 2) For automatic sampling, ASTM D4177;
- 3) Sampling Procedures for Fuel Volatility, 40 CFR 80 Appendix D.

- e) The Reid vapor pressure shall be measured in accordance with test method ASTM D323 or in the case of gasoline-oxygenate blends which contain water-extractable oxygenates, a modification of ASTM D323 as set forth in 40 CFR 80, Appendix E, incorporated by reference in Section 215.105.

- f) The ethanol content of ethanol blend gasolines shall be determined by use of one of the approved testing methodologies specified in 40 CFR 80, Appendix F, incorporated by reference in Section 215.105.

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- g) Any alternate to the sampling or testing methods or procedures contained in subsections (d), (e), and (f) must be approved by the Agency, which shall consider data comparing the performance of the proposed alternative to the performance of one or more approved test methods or procedures. Such data shall accompany any request for Agency approval of an alternate test procedure. If the Agency determines that such data demonstrates that the proposed alternative will achieve results equivalent to the approved test methods or procedures, the Agency shall approve the proposed alternative.

- h) Each refiner or supplier that distributes gasoline or ethanol blends shall:

- 1) During the regulatory control period, document and clearly designate the Reid vapor pressure of all gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois. Any facility receiving this gasoline shall be provided with a copy of the accompanying document specifying the Reid vapor pressure.
- 2) Maintain records for a period of two years on the Reid vapor pressure, quantity shipped and date of delivery of any gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois. The Agency shall be provided with copies of such records if requested.

(Source: Added at 14 Ill. Reg. 3555, effective February 27, 1990)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: AID TO FAMILIES WITH DEPENDENT CHILDREN

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Numbers: Adopted Action:

112.82 Amendment  
112.138 New Section  
112.300 Amendment  
112.303 Amendment

4) Statutory Authority:

89 Ill. Adm. Code 112.82

Section 9-6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 9-6 and 12-13)

89 Ill. Adm. Code 112.138 and 112.303

Sections 4-1.2 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 4-1.2 and 12-13, as amended by P.A. 86-911, effective July 1, 1990)

89 Ill. Adm. Code 112.300

Sections 4-1.2 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 4-1.2 and 12-13)

5) Effective Date of Adopted Amendments: February 23, 1990

6) Does this rulemaking contain an automatic repeal date?  
Yes ☐ No ☒

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: February 23, 1990

9) Notices of Proposal Published in Illinois Register:

89 Ill. Adm. Code 112.82  
November 3, 1989 (13 Ill. Reg. 16894)

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89 Ill. Adm. Code 112.138 and 112.303  
December 1, 1989 (13 Ill. Reg. 18833)

89 Ill. Adm. Code 112.300  
November 3, 1989 (13 Ill. Reg. 16894)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Difference(s) between proposal and final version: No changes were made to the text of any of these amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
112.9	Amendment	February 23, 1989 (14 Ill. Reg. _____)
112.70	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.71	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.72	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.74	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.76	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.77	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.78	Amendment	January 19, 1990 (14 Ill. Reg. 1123)

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Section Numbers	Proposed Action	Illinois Register Citation
112.79	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.80	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.82	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.83	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.154	Amendment	December 8, 1989 (13 Ill. Reg. 19117)
112.304	Amendment	January 12, 1990 (14 Ill. Reg. 538)
112.308	Amendment	January 19, 1990 (14 Ill. Reg. 1123)
112.315	Renumbered & Amended	January 19, 1990 (14 Ill. Reg. 1123)
112.350	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.352	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.354	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.356	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.358	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.360	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.362	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.364	New Section	January 19, 1990 (14 Ill. Reg. 1123)

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Section Numbers	Proposed Action	Illinois Register Citation
112.366	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.400	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.402	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.404	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.406	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.408	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.410	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.412	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.414	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.416	New Section	January 19, 1990 (14 Ill. Reg. 1123)
112.418	New Section	January 19, 1990 (14 Ill. Reg. 1123)

15) Summary and Purpose of Amendments: The following are separate rulemakings:

89 Ill. Adm. Code 112.02

This rulemaking provides that for the Project Chance Program initial employment expenses will not be authorized to pay relocation expenses so an individual can accept employment elsewhere. Also not permitted as an initial employment expense are expenses required for the



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self-employment of the individual except when expenses will assist the individual in becoming an Illinois Department of Children and Family Services licensed child care provider.

89 Ill. Adm. Code 112.138 and 112.303

This rulemaking authorizes a supplemental payment to an AFDC participant who experiences a loss or decrease of earned income. A supplemental payment is authorized in this instance to offset the decrease in the individual's AFDC benefits which results from retrospective budgeting of his or her earned income.

89 Ill. Adm. Code 112.300

This rulemaking establishes criteria for determining who is an essential person who may be included in the assistance unit. To be considered an essential person, the needy relative (other than the caretaker relative) must verify that he/she is providing a specific need/service to the family (45 CFR 233.20(A)(1)(VI).

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Anita Williams, Staff Attorney  
Office of the General Counsel

Address: Illinois Department of Public Aid  
Jesse B. Harts Building II  
100 South Grand Avenue East, 3rd Flr.  
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

## PART 112

## AID TO FAMILIES WITH DEPENDENT CHILDREN

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112.5 Incorporation By Reference

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

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112.8 Caretaker Relative  
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112.52 Social Security Numbers  
112.54 Assignment of Medical Support Rights  
112.60 Lack of Parental Support or Care  
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112.71 Individuals Exempt From Project Chance  
112.72 Project Chance Participation/Cooperation Requirements  
112.73 Failure to Participate with the Work Incentive Demonstration Program (Renumbered)  
112.74 Project Chance Full Assessment Process/Development of an Employment plan  
112.76 Project Chance Orientation  
112.77 Illinois Work Experience Program Evaluation Project (Renumbered)  
112.78 Project Chance Components  
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112.80 Good Cause for Failure to Comply With Project Chance Participation Requirements

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112.81 Responsible Relative Eligibility For Project Chance  
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## SUBPART E: PROJECT ADVANCE

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112.86 Project Advance  
112.87 Project Advance Experimental and Control Groups  
112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers  
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112.91 Good Cause for Failure to Comply with Project Advance  
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## SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

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112.100 Unearned Income  
112.101 Unearned Income of Stepparent, Parent or Legal Guardian  
112.105 Budgeting Unearned Income  
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112.107 Initial Receipt of Unearned Income  
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112.115 Education Benefits  
112.120 Incentive Allowances  
112.125 Unearned Income In-Kind  
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112.133 Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision  
112.134 Initial Employment  
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112.136 Budgeting Earned Income For Non-Contractual School Employees

112.137 Termination of Employment  
112.138 Transitional Payments  
112.140 Exempt Earned Income  
112.141 Earned Income Exemption  
112.142 Exclusion From Earned Income Exemption  
112.143 Recognized Employment Expenses  
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112.155 AFDC Income Limit

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112.250 Grant Levels  
112.251 Payment Levels in AFDC  
112.252 Payment Levels in AFDC Group I Counties  
112.253 Payment Levels in AFDC Group II Counties  
112.254 Payment Levels in AFDC Group III Counties

## SUBPART I: OTHER PROVISIONS

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112.300 Persons Who May Be Included in the Assistance Unit  
112.301 Presumptive Eligibility  
112.302 Monthly Reporting  
112.303 Restrospective Budgeting  
112.304 Budgeting Schedule  
112.305 Strikers  
112.306 Foster Care Program  
112.307 Responsibility of Sponsors of Aliens  
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## DEPARTMENT OF PUBLIC AID

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## Section

- 112.309 Institutional Status  
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 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard

**AUTHORITY:** Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 4-1 et seq. and 12-13).

**SOURCE:** Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 45, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27,

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1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive



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change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 83 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 10 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and

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112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: PROJECT CHANCE

Section 112.82 Project Chance Supportive Services

- a) AFDC mandatory registrants involved in Project Chance are eligible to receive supportive service payments to enable them to participate in the program.
- b) During the full assessment, the supportive services needed by the mandatory registrant which must be discussed and provided or arranged as needed include at least the following:
  - 1) transportation;
  - 2) child care;
  - 3) employment-related medical services (e.g., TB test);
  - 4) vocational rehabilitation;

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## Section 112.82 Project Chance Supportive Services (Cont'd.)

- 5) initial employment expenses;
  - 6) required books, fees, supplies;
  - 7) pre-employment and pre-training physicals; and
  - 8) emergency intervention services.
- c) Regarding emergency intervention services, Project Chance staff will refer the mandatory registrant to the appropriate Local Office for application under the Crisis Assistance Program (see 89 Ill. Adm. Code 1167). At a reassessment of a mandatory registrant's component participation, the need for supportive services will be discussed.

- d) Project Chance participation will not be required if supportive services are needed for effective participation but unavailable from the Department or some other reasonably available source

## e) Eligible Services

## 1) Transportation

- A) If requested and required (e.g., a client who does not have an automobile), expenses for transportation will be provided to enable mandatory registrants to attend Orientation and Assessment meetings.
- B) Transportation expenses are to be paid to permit participation in the Work Experience, Job Club, Pre-Employment and Special Project components.
- C) Transportation payments are made at the most reasonable and most economical rate, whichever is less. If the mandatory registrant's own automobile is used, the established rate per mile (i.e., 21¢ per mile) will be approved, which includes all vehicle-related expenses.

D) ~~Transportation~~ Transportation expenses to go

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## Section 112.82 Project Chance Supportive Services (Cont'd.)

to and from work until receipt of first paycheck.

## 2) Day Care

- A) If requested and required (e.g., when school is not in session), expenses for day care services will be provided to enable mandatory registrants to attend Orientation and Assessment meetings.

- B) Day care expenses are to be paid to permit participation in the Work Experience, Job Club, Pre-Employment and Special Project components (see Section 112.78).

- C) Maximum rates for day care have been established by the Illinois Department of Children and Family Services (DCFS) (see 89 Ill. Adm. Code 356.5(g)). The Department will allow payment of an amount not to exceed the maximum rates per child as established by DCFS.

## 3) Job Search

- A) An allowance of \$20.00 a month is to be paid to mandatory registrants participating in Intensive Job Search to assist in the payment of job search-related expenses.

- B) An allowance of \$20.00 a month is to be paid to mandatory registrants participating in the Job Club component if an employer contact requirement (e.g., 20 employer contacts a month) is made.

- C) An allowance of \$5.00 a month will be paid to mandatory registrants participating in Work Experience to assist in the payment of job search-related expenses.

## 4) Mandatory Fees

Mandatory fees, including application, registration, activities, laboratory, graduation

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## Section 112.82 Project Chance Supportive Services (Cont'd.)

and testing fees, are provided to mandatory registrants enrolled in approved education or training programs (see Section 112.78). A maximum payment of \$300.00 per twelve (12) month period will be provided. No payments are allowed for tuition.

## 5) Books and Supplies

Payment is allowed for books, supplies and equipment purchased in accordance with the facility's published list of required items for the particular program in which a mandatory registrant is enrolled. A maximum payment of \$300.00 per twelve (12) month period can be provided.

## 6) Pre-Training and Pre-Employment Physical Examinations

Payment is permitted for mandatory registrants to obtain pre-training or pre-employment physical examinations if the costs are not otherwise provided by sources such as the employer or the training program.

## 7) Initial Employment Expense

A) Payment may be provided for employment expenses incurred and requested prior to receipt of the first paycheck.

B) These expenses include,

- i) special clothing (maximum \$200);
- ii) required tools which are not provided by the employer (maximum \$200);
- iii) repairs on an automobile (maximum \$300);
- iv) auto license plate fees;
- v) auto insurance at the cheapest rate; and
- vi) transportation expenses at the most

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## Section 112.82 Project Chance Supportive Services (Cont'd.)

reasonable and most economical rate, whichever is less. If the mandatory registrant's own car is used, a gas allowance of \$4.15 daily or a rate of 21¢ a mile, whichever is less, shall be authorized;

## vii) child care;

viii) physical examinations prior to employment if not provided by the employer; and

ix) other required items related to a specific job (maximum \$300).

x) item(s) or service(s) purchased that will assist the individual in meeting Illinois Department of Children and Family Services' child care licensing requirements (maximum \$300.00).

Item(s) and service(s) may include but are not limited to the purchase of fire extinguishers, smoke alarms, first aid kits and installation of a telephone.

C) Initial employment expenses will not be authorized to purchase fire arms, ~~or to pay bail-bonds or traffic-tickets~~ pay local bonds or traffic tickets, or pay relocation expenses so an individual can accept employment elsewhere.

D) Also not permitted as an initial employment expense are expenses required for the self-employment of the individual except when expenses will assist the individual in becoming an Illinois Department of Children and Family Services licensed child care provider.

f) These allowances are exempt from consideration in determining the AFDC grant amount.

(Source: Amended at 14 Ill. Reg. 3575, effective February 23, 1990)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

112.138 Transitional Payments

- a) The department supplements AFDC assistance to recipients determined eligible for such payments who have had a decrease or loss of earned income and are receiving a reduced AFDC grant and assistance due to the budgeting of their previous earnings.
- b) Eligibility for a transitional payment exists for any payment month in which:
- 1) the AFDC grant amount was decreased due to the budgeting of earned income; and
  - 2) the gross earnings received in the payment month are less than the gross earnings budgeted for the payment month; and
  - 3) the net budgetable earned income (after appropriate disregards (see Section 112.152)) received in the payment month is at least \$10 less than the amount budgeted for the payment month.
- c) Eligibility for transitional payments shall be determined monthly based on the monthly reports submitted by the AFDC participant. In addition, an AFDC participant may request a transitional payment, in writing, at any time if the participant's earnings have terminated entirely.

(Source: Added at 14 Ill. Reg. 3575, effective February 23, 1990)

## SUBPART I: OTHER PROVISIONS

Section 112.300 Persons Who May Be Included in the Assistance Unit

- a) The assistance unit must include at least one eligible child. No more than two of the following individuals may also be included: as adults:
- 1) The caretaker relative;

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section 112.300 Persons Who May Be Included in the Assistance Unit (Cont'd)

- 2) The spouse of the caretaker relative may be included only if the caretaker relative is a parent of one of the children and only if the spouse lives in the home. The parent of an eligible child;
  - 3) A needy relative other than caretaker relative whose presence is essential in the home to provide care for the eligible children, who provides at least one of the following services:
    - A) child care which enables the caretaker relative to work on a full-time (at least 100 hours per month) paid basis outside the home;
    - B) care for an incapacitated family member in the home;
    - C) child care that enables a caretaker relative to receive training full-time;
    - D) child care that enables a caretaker relative to attend high school or General Educational Development (GED) classes full-time; or
    - E) child care for a period not to exceed two months that enables the caretaker relative to participate in a Project Chance (AFDC) work program such as Job Search.
- b) In order for an assistance unit to be eligible, an application with respect to a dependent child must also include, if living in the same household and otherwise eligible for assistance:
- 1) Any natural or adoptive parent of the dependent child; and
  - 2) Any blood-related or adoptive brother or sister of the dependent child.
- c) The eligibility of a child in an Assistance unit depends on that child's lack of parental support or care. All eligible dependent children, blood related

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Section 112.300 Persons Who May Be Included in the Assistance Unit (Cont'd)

siblings and stepchildren in a family unit shall be included in a single case.

- d) 1) A pregnant woman, who would be eligible for AFDC when the child is born, may receive assistance as an Adult only. Financial assistance is limited to the last four months of pregnancy.
- 2) A pregnant woman who is receiving or is eligible to receive cash assistance as a dependent child in an AFDC case is not eligible for cash assistance as an Adult only pregnant woman.
- e) The caretaker relative(s) of a child receiving SSI who would otherwise be eligible for AFDC, may receive assistance as an Adult only case.

(Source: Amended at 14 Ill. Reg. 3575, effective February 23, 1990)

Section 112.303 Retrospective Budgeting

- a) All AFDC recipients shall have income and attendant circumstances budgeted on a retrospective basis, whether or not they must report monthly.
- b) Eligibility for AFDC is first determined on a prospective basis for all eligibility factors. If eligible on this prospective basis, the actual amount of benefits the unit is entitled to receive shall be determined by budgeting income and attendant circumstances retrospectively. At intake, however, income and attendant circumstances shall be budgeted prospectively for two months before beginning retrospective budgeting in the third month.
- c) The budget month is the fiscal month from which the Department uses income and attendant circumstances to determine the amount of assistance the unit is entitled to receive. The payment month is the fiscal month which the assistance grant covers. The payment month is the second fiscal month following the budget month.

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Section 112.303 Retrospective Budgeting (Cont'd.)

- d) The Department ~~does not~~ may supplement a recipient's assistance grant due to a loss of income in the payment month (see Section 112.138).
- e) When a recipient whose assistance is discontinued reapplies for the same fiscal month assistance was discontinued, the recipient's income is budgeted retrospectively as if no interruption in assistance occurred.

(Source: Amended at 14 Ill. Reg. 3575, effective February 23, 1990)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: DRUG MANUAL
- 2) Code Citation: 89 Ill. Adm. Code 141
- 3) Section Numbers: Adopted Action:

141.100 Amendment  
 141.560 Amendment  
 141.640 Amendment  
 141.720 Amendment  
 141.800 Amendment  
 141.1000 Amendment  
 141.1125 Amendment  
 141.1200 Amendment  
 141.1280 Amendment  
 141.1320 Amendment  
 141.1520 Amendment  
 141.2400 Amendment  
 141.2600 Amendment  
 141.3120 Amendment  
 141.3560 Amendment  
 141.3800 Amendment  
 141.3840 Amendment  
 141.3920 Amendment  
 141.4040 Amendment  
 141.4200 Amendment  
 141.4240 Amendment  
 141.4360 Amendment  
 141.4640 Amendment  
 141.4760 Amendment

- 4) Statutory Authority: Sections 5-5.16 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-5.16 and 12-13) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1005.02)

- 5) Effective Date of Amendments: February 27, 1990

- 6) Does this rulemaking contain an automatic repeal date?  
 Yes ☐ No ☒

- 7) Do these amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: February 27, 1990

- 9) Notices of Proposal Published in Illinois Register:  
 November 17, 1989 (13 Ill. Reg. 17665)

## DEPARTMENT OF PUBLIC AID

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- 10) Has JCAR issued a Statement of Objections to these Amendments? No

- 11) Difference(s) between proposal and final version: No changes were made to these Amendments.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will these Adopted Amendments replace Emergency Amendments currently in effect? Yes

- 14) Are there any Amendments pending on this Part? Yes. In addition to the following proposed amendments pending on the Part, there are still emergency amendments in effect on Sections 141.100, 141.560, 141.800, 141.1000, 141.1320, 141.4360 and 141.4640 which are not affected by this set of amendments. The emergency amendments appear at 14 Ill. Reg. 2657, effective February 2, 1990, for a maximum of 150 days. The copies filed in the Administrative Code Division reflect both the emergency amendments and these amendments.

Section Numbers	Proposed Action	Illinois Register Citation
141.10	Amendment	December 29, 1989 (13 Ill. Reg. 20288)
141.100	Amendment	February 16, 1990 (14 Ill. Reg. 2465)
141.200	Amendment	February 16, 1990 (14 Ill. Reg. 2465)
141.280	Amendment	February 16, 1990 (14 Ill. Reg. 2465)
141.560	Amendment	February 16, 1990 (14 Ill. Reg. 2465)
141.800	Amendment	February 16, 1990 (14 Ill. Reg. 2465)
141.1000	Amendment	February 16, 1990 (14 Ill. Reg. 2465)



TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 141  
DRUG MANUAL

Section	DRUG MANUAL
141.10	AGENCY NOTES
141.100	ANALGESICS/NARCOTIC ANTAGONISTS: ANTIRHEUMATIC
141.200	ANALGESICS/NARCOTIC ANTAGONISTS: GOUT
141.240	ANALGESICS/NARCOTIC ANTAGONISTS: MIGRAINE
141.280	ANALGESICS/NARCOTIC ANTAGONISTS: NARCOTIC ANTAGONISTS
141.320	ANALGESICS/NARCOTIC ANTAGONISTS: NONOPIATE AGONISTS
141.360	ANALGESICS/NARCOTIC ANTAGONISTS: OPIATE AGONISTS
141.400	ANTI-ALCOHOL
141.440	ANTICONVULSANTS
141.480	ANTIDOTES
141.520	ANTIHYPERTENSIVES
141.560	ANTIMICROBIAL: AMINOGLYCOSIDES
141.600	ANTIMICROBIAL: ANTIFUNGALS
141.640	ANTIMICROBIAL: ANTITUBERCULARS
141.680	ANTIMICROBIAL: CEPHALOSPORINS
141.720	ANTIMICROBIAL: ERYTHROMYCINS
141.760	ANTIMICROBIAL: MISCELLANEOUS
141.800	ANTIMICROBIAL: NITROFURANTOINS
141.840	ANTIMICROBIAL: PENICILLINS
141.880	ANTIMICROBIAL: SULFONAMIDES
141.920	ANTIMICROBIAL: TETRACYCLINES
141.960	ANTIMICROBIAL: VACCINES
141.1000	BLOOD: ANTIANEMIA
141.1040	BLOOD: ANTICOAGULANT
141.1080	BLOOD: HEMOSTATIC
141.1120	BLOOD: MISCELLANEOUS
141.1125	CALCIUM
141.1160	CARDIOVASCULAR: ANTIANGINAL
141.1200	CARDIOVASCULAR: ANTIARRHYTHMIC
141.1240	CARDIOVASCULAR: ANTIHYPERLIPIDEMICS
141.1280	CARDIOVASCULAR: BETA BLOCKERS
141.1320	CARDIOVASCULAR: DIGITALIS GLYCOSIDES
141.1360	CARDIOVASCULAR: HYPOTENSION/SHOCK
141.1400	CARDIOVASCULAR: VASODILATOR (Repealed)
141.1440	CONTRACEPTIVE: NONORAL
141.1480	DIAPER RASH PRODUCTS
141.1500	DIURETICS
141.1520	DOPAMINE RECEPTOR AGONISTS
141.1560	ENZYMES
141.1600	

- 15) Summary and Purpose of Adopted Amendments: With this rulemaking the Department makes several additions and deletions to various therapeutic categories of the Drug Manual.
- 16) Information and questions regarding these Adopted Amendments shall be directed to:
- Name: Anita Williams, Staff Attorney  
Office of the General Counsel
- Address: Illinois Department of Public Aid  
Jesse B. Hartis Building II  
100 South Grand Avenue East, 3rd Flr.  
Springfield, Illinois 62762
- Telephone: (217) 782-1233
- The full text of the Adopted Amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section	
141.1640	EYE/EAR/NOSE/THROAT: ANTIBIOTICS
141.1680	EYE/EAR/NOSE/THROAT: ANTI-INFLAMMATORY
141.1720	EYE/EAR/NOSE/THROAT: ANTIVIRALS
141.1760	EYE/EAR/NOSE/THROAT: ANTIBIOTIC/ANTI-INFLAMMATORY
141.1800	EYE/EAR/NOSE/THROAT: LOCAL ANESTHETICS
141.1840	EYE/EAR/NOSE/THROAT: LUBRICANTS
141.1880	EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
141.1920	EYE/EAR/NOSE/THROAT: MISCELLANEOUS
141.1960	EYE/EAR/NOSE/THROAT: MISCELLANEOUS ANTI-INFECTIVES
141.2000	EYE/EAR/NOSE/THROAT: MYDRIATICS
141.2040	EYE/EAR/NOSE/THROAT: SULFONAMIDES
141.2080	EYE/EAR/NOSE/THROAT: SULFONAMIDE/ANTI-INFLAMMATORY
141.2120	EYE/EAR/NOSE/THROAT: TOPICAL DECONGESTANTS
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AUTHORITY: Implementing and authorized by Sections 5-5 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, pars. 5-5 and 12-13).

SOURCE: Emergency amendment at 5 Ill. Reg. 13555, effective December 1, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 9991, effective August 1, 1982; emergency amendment at 6 Ill. Reg. 10042, effective August 1, 1982, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 1178, effective

February 1, 1983, for a maximum of 150 days; amended and codified as 89 Ill. Adm. Code 140.72 at 7 Ill. Reg. 17358, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13779, effective July 24, 1984; recodified from 89 Ill. Adm. Code 140.72 and 89 Ill. Adm. Code 140.73 at 8 Ill. Reg. 16354; amended at 9 Ill. Reg. 3335, effective March 1, 1985; amended at 9 Ill. Reg. 19018, effective December 1, 1985; emergency amendment at 10 Ill. Reg. 8153, effective May 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 17681, effective September 28, 1986; emergency amendment at 10 Ill. Reg. 20828, effective December 1, 1986, for a maximum of 150 days; recodified from 89 Ill. Adm. Code 140.71 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 5235, effective March 12, 1987; emergency amendment at 11 Ill. Reg. 5330, effective March 13, 1987 for a maximum of 150 days; amended at 11 Ill. Reg. 11113, effective June 10, 1987; emergency amendment at 11 Ill. Reg. 11361, effective June 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16726, effective September 30, 1987; emergency amendment of 11 Ill. Reg. 20236, effective December 1, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 7358, effective April 12, 1988; emergency amendment at 12 Ill. Reg. 10197, effective June 1, 1989, for a maximum of 150 days; amended at 12 Ill. Reg. 14219, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 15667, effective September 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 20851, effective December 2, 1988, for a maximum of 150 days; amended at 13 Ill. Reg. 516, effective December 28, 1988; amended at 13 Ill. Reg. 3850, effective March 17, 1989; emergency amendment at 13 Ill. Reg. 8036, effective May 15, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 10700, effective June 15, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15672, effective September 22, 1989; amended at 13 Ill. Reg. 16982, effective October 20, 1989; emergency amendment at 13 Ill. Reg. 17940, effective November 1, 1989, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 2657, effective February 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 3595, effective February 27, 1990.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

AGENCY NOTE: The text of Sections 141.100, 141.560, 141.800, 141.1000, 141.1320, 141.4360 and 141.4640 which appear below do not include the emergency amendments adopted at 14 Ill. Reg. 2657, effective February 2, 1990, for a maximum of 150

days. The copies filed with the Administrative Code Division reflect both the emergency amendments and this set of amendments.

SECTION 141.100 AGENCY NOTES

a) Explanation of drug restrictions

- 1) Group Care and Basic Health Restricted - The drug is available to all recipient categories except recipients with basic health coverage (i.e., recipients of general assistance, of Aid To The Medically Indigent) and individuals residing in a nursing home.
- 2) The nursing home must provide the following listed drugs to resident recipients at no charge to the recipient:

ACETAMINOPHEN DROPS 80MG/0.8ML  
ACETAMINOPHEN DROPS 120MG/2.5ML  
ACETAMINOPHEN ELIXIR/SYRUP 120MG/5ML  
ACETAMINOPHEN TAB/CAP 325MG  
ACETAMINOPHEN TAB/CAP 500MG  
ACETAMINOPHEN TAB/CAP 650MG  
ACETAMINOPHEN TABLET CHEWABLE 80MG  
ACETAMINOPHEN TABLET CHEWABLE 120MG  
ASPIRIN TAB BUFFERED 325MG  
ASPIRIN TAB BUFFERED 600MG  
ASPIRIN TAB EC 300MG  
ASPIRIN TAB EC 600MG  
ASPIRIN TAB PEDIATRIC  
ASPIRIN TAB 300MG  
ASPIRIN TAB 600MG  
GLUCOLA LIQUID  
MILK OF MAGNESIA LIQUID  
MILD OF MAGNESIA TABLET  
ZINC OXIDE OINTMENT

- b) No restrictions - The drug is available to all recipient categories including nursing home residents and recipients of basic health coverage.
- c) 1) Group care restricted - The drug is available to all recipients (including basic health recipients) except recipients residing in nursing homes.



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SECTION 141.100 AGENCY NOTES (Cont'd)

- 2) The nursing home must provide the following listed items to resident recipients at no charge to the recipient:

ACETEST REAGENT TABLETS  
ALBUSTIX STRIPS  
CHEMSTRIP BG STRIPS  
CHEMSTRIP GP  
CHEMSTRIP K PAPERS  
CHEMSTRIP TEST KIT  
CHEMSTRIP UG STRIPS  
CHEMSTRIP UGK STRIPS  
CHEMSTRIP 5  
CLINISTIX STRIP  
CLINITEST (2 DROP)  
CLINITEST ANALYSIS SET  
CLINITEST ANALYSIS SET (2 DROP)  
CLINITEST TABLET  
CLINITEST TABLET FOIL  
COMBISTIX  
DEXTOSTIX REAGENT STRIPS  
DEXTOSTIX REAGENT STRIPS FOIL  
DIASTIX STRIPS  
EXACTECH TEST STRIPS  
GLUCOSCAN TEST STRIPS  
GLUCOSTIX STRIPS  
HEMA-COMBISTIX  
HEMASTIX STRIPS  
HEMATYST TABLET  
KETO-DIASTIX  
KETO-DIASTIX 5  
KETOSTIX STRIPS  
LABSTIX  
LANCET FOR DIABETIC USE, STERILE  
N-URISTIX  
ONE TOUCH TEST STRIPS  
TES-TAPE  
TRACER BG STRIPS  
TRENDSTRIPS  
URISTIX  
VISIDEX II REAGENT STRIPS  
ANY PRODUCT EQUIVALENT TO THOSE ON THE ABOVE LIST OR ANY OTHER NONLISTED DIABETIC TESTING SUPPLY

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SECTION 141.100 AGENCY NOTES (Cont'd)

- d) Group care limited - The drug is available only to recipients residing in nursing homes.
- e) Basic health restricted - If no sign appears next to the drug, it is available to all categories of recipients except those receiving only basic health coverage.
- f) The drugs referenced in subsection (a) above are identified in the Drug Manual by a single asterisk immediately before the item number. The drugs referenced in subsection (b) above are identified in the Drug Manual by a double asterisk immediately before the item number. The drugs referenced in subsection (c) above are identified in the Drug Manual by a triple asterisk immediately before the item number. The drugs referenced in subsection (d) above are identified in the Drug Manual by the letter "G" immediately before the item number.

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

SECTION 141.560 ANTihYPERTENSIVES

Item Number	Drug Name and Strength
** 00030450	CAPOTEN TABLET 12.5MG
** 00030452	CAPOTEN TABLET 25MG
** 00030562	CAPOTEN TABLET 50MG
** 00030485	CAPOTEN TABLET 100MG
** 00030338	CAPOZIDE TABLET 25/15
** 00030349	CAPOZIDE TABLET 25/25
** 00030384	CAPOZIDE TABLET 50/15
** 00030390	CAPOZIDE TABLET 50/25
** 05970031	CATAPRES-TTS-1 PATCHES
** 05970032	CATAPRES-TTS-2 PATCHES
** 05970033	CATAPRES-TTS-3 PATCHES
** 50000941	CLONIDINE HCL TABLET 0.1MG
** 50000943	CLONIDINE HCL TABLET 0.2MG
** 50000945	CLONIDINE HCL TABLET 0.3MG
** 00030283	CORZIDE TABLET 40MG; 5MG
** 00030284	CORZIDE TABLET 80MG; 5MG
** 00830047	ESIMIL TABLET
** 50001614	GUANETHIDINE MONOSULFATE TABLET 10MG
** 50001616	GUANETHIDINE MONOSULFATE TABLET 25MG

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## SECTION 141.560 ANTIHYPERTENSIVES (Cont'd)

Item Number	Drug Name and Strength
** 50005686	HYDRALAZINE HCL INJECTION 20MG/ML AMP
** 50003074	HYDRALAZINE HCL TABLET 10MG
** 50003076	HYDRALAZINE HCL TABLET 25MG
** 50003078	HYDRALAZINE HCL TABLET 50MG
** 50003080	HYDRALAZINE HCL TABLET 100MG
** 50003066	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 15MG TABLET
** 50003068	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 25MG CAPSULE
** 50003070	HYDRALAZINE HCL 50MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
** 50003072	HYDRALAZINE HCL 100MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
** 50001604	HYDROCHLOROTHIAZIDE 12.5MG; LISINAPRIL 20MG TABLET
** 50002981	HYDROCHLOROTHIAZIDE 15MG; METHYLDOPA 250MG TABLET
** 50002341	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 100MG TABLET
** 50002343	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 200MG TABLET
** 50002345	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 300MG TABLET
** 50001606	HYDROCHLOROTHIAZIDE 25MG; LISINAPRIL 20MG TABLET
** 50002983	HYDROCHLOROTHIAZIDE 25MG; METHYLDOPA 250MG TABLET
** 50005520	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 40MG TABLET
** 50005522	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 80MG TABLET
** 50003090	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.1MG TABLET
** 50003094	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.125MG TABLET
** 50002985	HYDROCHLOROTHIAZIDE 30MG; METHYLDOPA 500MG TABLET
** 50002987	HYDROCHLOROTHIAZIDE 50MG; METHYLDOPA 500MG TABLET
** 50004021	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 80MG LA CAPSULE
** 50004023	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 120MG LA CAPSULE

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## SECTION 141.560 ANTIHYPERTENSIVES (Cont'd)

Item Number	Drug Name and Strength
** 50004025	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 160MG LA CAPSULE
** 50003092	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.1MG TABLET
** 50003096	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.125MG TABLET
** 00130787	HYLOREL TABLET 10MG
** 00180788	HYLOREL TABLET 25MG
** 00743322	HYTRIN TABLET 1MG
** 00743323	HYTRIN TABLET 2MG
** 00743324	HYTRIN TABLET 5MG
** 00743325	HYTRIN TABLET 10MG
** 50001825	LISINAPRIL TABLET 5MG
** 50001827	LISINAPRIL TABLET 10MG
** 50001829	LISINAPRIL TABLET 20MG
** 50001831	LISINAPRIL TABLET 40MG
** 00750082	LOZOL TABLET 2.5MG
** 50000712	METHYLDOPA ORAL SUSPENSION 250MG/5ML
** 50000714	METHYLDOPA TABLET 125MG
** 50000716	METHYLDOPA TABLET 250MG
** 50000718	METHYLDOPA TABLET 500MG
** 50000710	METHYLDOPATE HCL INJECTION 250MG/5ML
** 00694300	MINIZIDE CAPSULE 1.0MG/0.5MG
** 00694320	MINIZIDE CAPSULE 2.0MG/0.5MG
** 00694360	MINIZIDE CAPSULE 5.0MG/0.5MG
** 50002096	MINOXIDIL TABLET 2.5MG
** 50002098	MINOXIDIL TABLET 10MG
** 50002751	PRazosin HCL CAPSULE 1MG
** 50002753	PRazosin HCL CAPSULE 2MG
** 50002755	PRazosin HCL CAPSULE 5MG
** 50005223	RESERPINE TABLET 0.1MG
** 50005231	RESERPINE TABLET 0.25MG
** 00318901	TENEX TABLET 1MG
** 00380115	TENORETIC 50 TABLET
** 00380117	TENORETIC 100 TABLET
** 00060067	TIMOLIDE TABLET 10/25
** 00060720	VASERETIC TABLET 10/25
** 00063508	VASOTEC INJECTION 1.25MG/ML 2ML VIAL
** 00060014	VASOTEC TABLET 2.5MG
** 00060712	VASOTEC TABLET 5MG
** 00060713	VASOTEC TABLET 10MG
** 00060714	VASOTEC TABLET 20MG
** 00080073	WYTENSIN TABLET 4MG
** 00080074	WYTENSIN TABLET 8MG

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## SECTION 141.560

## ANTIHYPERTENSIVES (Cont'd)

Item Number Drug Name and Strength

\*\* 00080092 WYTENSIN TABLET 16MG

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.640

## ANTIMICROBIAL: ANTIFUNGALS

\*\* 50001180 AMPHOTERICIN B INJECTION 50MG/VIAL

\*\* 30040077 ANCOBON CAP 250MG

\*\* 00940079 ANCOBON CAP 500MG

\*\* 60008006 ANTIFUNGAL-INJECTION-NOT OTHERWISE LISTED-IF LAW REQUIRES RX

\*\* 60008005 ANTIFUNGAL-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX

\*\* 50008104 CLOTRIMAZOLE TROCHE 10MG

\*\* 50002942 GRISEOFULVIN MICROCRY SUSP 125MG/5CC

\*\* 50002925 GRISEOFULVIN MICROCRY TAB/CAP 125MG

\*\* 50002933 GRISEOFULVIN MICROCRY TAB/CAP 250MG

\*\* 50002941 GRISEOFULVIN MICROCRY TAB/CAP 500MG

\*\* 50002945 GRISEOFULVIN ULTRAMICROCRYSTALLINE TABLET 125MG

\*\* 50002947 GRISEOFULVIN ULTRAMICROCRYSTALLINE TABLET 165MG

\*\* 50002945 GRISEOFULVIN ULTRAMICROCRYSTALLINE TABLET 250MG

\*\* 50002949 GRISEOFULVIN ULTRAMICROCRYSTALLINE TABLET 330MG

\*\* 50001181 MICONAZOLE INJECTION 10MG/ML 20ML AMP

\*\* 05045822 NIZORAL TABLET 200MG

\*\* 50002302 NYSTATIN ORAL POWDER 150 MILLION UNITS

\*\* 50004000 NYSTATIN ORAL SUSPENSION 100,000U/ML

\*\* 50007103 NYSTATIN ORAL SUSPENSION 100,000U/ML

\*\* 50003998 NYSTATIN ORAL TAB/CAP 500,000U

\*\* 50007004 NYSTATIN PASTILLE 200,000U

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

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## SECTION 141.720

## ANTIMICROBIAL: CEPHALOSPORINS

Item Number Drug Name and Strength

\*\* 50001210 CEFACLOL CAPSULE 250MG

\*\* 50001211 CEFACLOL CAPSULE 500MG

\*\* 50001212 CEFACLOL ORAL SUSPENSION 125MG/5ML 75ML

\*\* 50001213 CEFACLOL ORAL SUSPENSION 125MG/5ML 150ML

\*\* 50001203 CEFACLOL ORAL SUSPENSION 187MG/5ML 50ML

\*\* 50001205 CEFACLOL ORAL SUSPENSION 187MG/5ML 100ML

\*\* 50001214 CEFACLOL ORAL SUSPENSION 250MG/5ML 75ML

\*\* 50001215 CEFACLOL ORAL SUSPENSION 250MG/5ML 150ML

\*\* 50001207 CEFACLOL ORAL SUSPENSION 375MG/5ML 50ML

\*\* 50001209 CEFACLOL ORAL SUSPENSION 375MG/5ML 100ML

\*\* 50003419 CEFADROXIL CAPSULE 500MG

\*\* 50003390 CEFADROXIL ORAL SUSPENSION 125MG/5ML 50ML

\*\* 50003391 CEFADROXIL ORAL SUSPENSION 125MG/5ML 100ML

\*\* 50003392 CEFADROXIL ORAL SUSPENSION 250MG/5ML 50ML

\*\* 50003393 CEFADROXIL ORAL SUSPENSION 250MG/5ML 100ML

\*\* 50001225 CEFADROXIL ORAL SUSPENSION 500MG/5ML 100ML

\*\* 50003417 CEFADROXIL TABLET 1GM

\*\* 50001240 CEFAMANDOLE NAFATE INJECTION 500MG/10ML VIAL

\*\* 50001241 CEFAMANDOLE NAFATE INJECTION 1GM/10ML VIAL

\*\* 50003210 CEFAMANDOLE NAFATE INJECTION 1GM/100ML PB VIAL

\*\* 50001242 CEFAMANDOLE NAFATE INJECTION 2GM/10ML VIAL

\*\* 50003212 CEFAMANDOLE NAFATE INJECTION 2GM/100ML PB VIAL

\*\* 50003054 CEFAZOLIN SODIUM INJECTION 250MG 10ML VIAL

\*\* 50008055 CEFAZOLIN SODIUM INJECTION 500MG 10ML VIAL

\*\* 50008059 CEFAZOLIN SODIUM INJECTION 500MG 100ML PB VIAL

\*\* 50008056 CEFAZOLIN SODIUM INJECTION 1GM 10ML VIAL

\*\* 50008060 CEFAZOLIN SODIUM INJECTION 1GM 100ML PB VIAL

\*\* 50008057 CEFAZOLIN SODIUM INJECTION 5GM 100ML VIAL

\*\* 50008058 CEFAZOLIN SODIUM INJECTION 10GM 100ML VIAL

\*\* 50003218 CEFAZOLIN SODIUM; DEXTROSE INJECTION 1GM/50ML; 2.5GM/50ML (5%)

\*\* 50003220 CEFAZOLIN SODIUM; SODIUM CHLORIDE INJECTION 1GM/50ML; 450MG/50ML (0.9%)

\*\* 50001183 CEFIXIME TABLET 200MG

\*\* 50001185 CEFIXIME TABLET 400MG

\*\* 50001187 CEFIXIME ORAL SUSPENSION 100MG/5ML 50ML

\*\* 50001189 CEFIXIME ORAL SUSPENSION 100MG/5ML 100ML

\*\* 50004740 CEFONICID SODIUM INJECTION 500MG/10ML VIAL

\*\* 50004742 CEFONICID SODIUM INJECTION 1GM/10ML VIAL

\*\* 50004744 CEFONICID SODIUM INJECTION 1GM/100ML PB VIAL

\*\* 50004746 CEFONICID SODIUM INJECTION 10GM/100ML VIAL

\*\* 50001243 CEFOPERAZONE SODIUM INJECTION 1GM VIAL

\*\* 50001244 CEFOPERAZONE SODIUM INJECTION 2GM VIAL

\*\* 50004015 CEFORANIDE INJECTION 500MG PB VIAL



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## SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

Item Number	Drug Name and Strength
** 50004011	CEFORANIDE INJECTION 500MG VIAL
** 50004017	CEFORANIDE INJECTION 1GM PB VIAL
** 50004013	CEFORANIDE INJECTION 1GM VIAL
** 50001906	CEFORANIDE INJECTION 10GM VIAL
** 50001245	CEFOTAXIME SODIUM INJECTION 500MG VIAL
** 50003222	CEFOTAXIME SODIUM INJECTION 1GM INFUSION VIAL
** 50001246	CEFOTAXIME SODIUM INJECTION 1GM VIAL
** 50003224	CEFOTAXIME SODIUM INJECTION 2GM INFUSION VIAL
** 50001247	CEFOTAXIME SODIUM INJECTION 2GM VIAL
** 50002391	CEFOTETAN DISODIUM INJECTION 1GM/10ML
** 50002393	CEFOTETAN DISODIUM INJECTION 1GM/100ML
** 50002395	CEFOTETAN DISODIUM INJECTION 2GM/20ML
** 50002397	CEFOTETAN DISODIUM INJECTION 2GM/100ML
** 50001248	CEFOXITIN SODIUM INJECTION 1GM/10ML VIAL
** 50003230	CEFOXITIN SODIUM INJECTION 1GM/100ML INFUSION VIAL
** 50001249	CEFOXITIN SODIUM INJECTION 2GM/20ML VIAL
** 50003232	CEFOXITIN SODIUM INJECTION 2GM/100ML INFUSION VIAL
** 50002361	CEFTAZIDIME INJECTION 500MG VIAL
** 50002363	CEFTAZIDIME INJECTION 1GM PB VIAL
** 50002365	CEFTAZIDIME INJECTION 1GM VIAL
** 50002367	CEFTAZIDIME INJECTION 2GM PB VIAL
** 50002369	CEFTAZIDIME INJECTION 2GM VIAL
** 50002371	CEFTAZIDIME INJECTION 6GM VIAL
** 50003238	CEFTIZOXIME SODIUM INJECTION 1GM PB VIAL
** 50004825	CEFTIZOXIME SODIUM INJECTION 1GM VIAL
** 50003240	CEFTIZOXIME SODIUM INJECTION 2GM PB VIAL
** 50004826	CEFTIZOXIME SODIUM INJECTION 2GM VIAL
** 50003244	CEFTIZOXIME SODIUM; DEXTROSE INJECTION 1GM/50ML; 2.5GM/50ML (5%) BAG
** 50003248	CEFTIZOXIME SODIUM; DEXTROSE INJECTION 2GM/50ML; 2.5GM/50ML (5%) BAG
** 50003260	CEFTRIAXONE SODIUM INJECTION 250MG VIAL
** 50003262	CEFTRIAXONE SODIUM INJECTION 500MG VIAL
** 50003264	CEFTRIAXONE SODIUM INJECTION 1GM PB VIAL
** 50003250	CEFTRIAXONE SODIUM INJECTION 1GM VIAL
** 50003252	CEFTRIAXONE SODIUM INJECTION 2GM PB VIAL
** 50003254	CEFTRIAXONE SODIUM INJECTION 2GM VIAL
** 50003256	CEFTRIAXONE SODIUM INJECTION 10GM VIAL
** 50004841	CEFUROXIME AXETIL TABLET 125MG
** 50004843	CEFUROXIME AXETIL TABLET 250MG
** 50004845	CEFUROXIME AXETIL TABLET 500MG

## DEPARTMENT OF PUBLIC AID

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## SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

Item Number	Drug Name and Strength
** 50008764	CEFUROXIME SODIUM INJECTION 750MG INFUSION VIAL
** 50004830	CEFUROXIME SODIUM INJECTION 750MG VIAL
** 50003290	CEFUROXIME SODIUM INJECTION 1.5GM INFUSION VIAL
** 50004832	CEFUROXIME SODIUM INJECTION 1.5GM VIAL
** 50004834	CEFUROXIME SODIUM INJECTION 7.5GM/100ML
** 50001251	CEPHALEXIN CAPSULE 250MG
** 50001252	CEPHALEXIN CAPSULE 500MG
** 50001231	CEPHALEXIN HCL TABLET 250MG
** 50001233	CEPHALEXIN HCL TABLET 500MG
** 50001258	CEPHALEXIN ORAL SUSPENSION 100MG/ML 10ML BOTTLE
** 50001253	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 60ML BOTTLE
** 50001254	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 200 100ML BOTTLE
** 50001255	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 200ML BOTTLE
** 50001256	CEPHALEXIN ORAL SUSPENSION 250MG/5ML 100ML BOTTLE
** 50001257	CEPHALEXIN ORAL SUSPENSION 250MG/5ML 200ML BOTTLE
** 50001260	CEPHALEXIN TABLET 250MG
** 50001263	CEPHALEXIN TABLET 500MG
** 50001259	CEPHALEXIN TABLET 1GM
** 60008010	CEPHALOSPORIN-INJECTION-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60008009	CEPHALOSPORIN-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50001273	CEPHALOTHIN SODIUM INJECTION 1GM/10ML VIAL
** 50004103	CEPHALOTHIN SODIUM INJECTION 1GM/100ML VIAL
** 50001274	CEPHALOTHIN SODIUM INJECTION 2GM/10ML VIAL
** 50004105	CEPHALOTHIN SODIUM INJECTION 2GM/100ML VIAL
** 50001275	CEPHALOTHIN SODIUM INJECTION 4GM/50ML VIAL
** 50001276	CEPHALOTHIN SODIUM INJECTION 4GM/50ML 20GM/200ML VIAL
** 50001290	CEPHAPIRIN SODIUM INJECTION 500MG VIAL
** 50004107	CEPHAPIRIN SODIUM INJECTION 1GM PB VIAL
** 50001291	CEPHAPIRIN SODIUM INJECTION 1GM VIAL
** 50004109	CEPHAPIRIN SODIUM INJECTION 2GM PB VIAL
** 50001292	CEPHAPIRIN SODIUM INJECTION 2GM VIAL
** 50001293	CEPHAPIRIN SODIUM INJECTION 4GM PB VIAL
** 50001294	CEPHAPIRIN SODIUM INJECTION 20GM VIAL
** 50001600	CEPHRADINE CAPSULE 250MG

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## SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

## SECTION 141.800 ANTIMICROBIAL: MISCELLANEOUS (Cont'd)

Item Number	Drug Name and Strength
** 50001601	CEPHRADINE CAPSULE 500MG
** 50003756	CEPHRADINE INJECTION 2GM INFUSION VIAL
** 50003757	CEPHRADINE INJECTION 4GM INFUSION VIAL
** 50001605	CEPHRADINE ORAL SUSPENSION 125MG/5ML 100ML BOTTLE
** 50002310	CEPHRADINE ORAL SUSPENSION 125MG/5ML 200ML BOTTLE
** 50001608	CEPHRADINE ORAL SUSPENSION 250MG/5ML 100ML BOTTLE
** 50002311	CEPHRADINE ORAL SUSPENSION 250MG/5ML 200ML BOTTLE
** 50001602	CEPHRADINE TABLET 1GM
** 50003753	CEPHRADINE INJECTION 250MG VIAL
** 50003754	CEPHRADINE INJECTION 500MG VIAL
** 50003755	CEPHRADINE INJECTION 1GM VIAL
** 50001298	MOXALACTAM DISODIUM INJECTION 1GM VIAL
** 50001299	MOXALACTAM DISODIUM INJECTION 2GM VIAL

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.800 ANTIMICROBIAL: MISCELLANEOUS

Item Number	Drug Name and Strength
** 50004923	ACYCLOVIR CAPSULE 200MG
** 50001410	ACYCLOVIR INJECTION 500MG VIAL
** 50000851	AMANTADINE HCL CAPSULE 100MG
** 50000853	AMANTADINE HCL SYRUP 50MG/5ML
** 50008013	ANTIMICROBIAL MISCELLANEOUS-INJECTION-NOT OTHERWISE LISTED-IF REQUIRES RX
** 50008017	ANTIMICROBIAL MISCELLANEOUS-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50005151	AZTREONAM INJECTION 500MG/15ML VIAL
** 50005153	AZTREONAM INJECTION 500MG/100ML BOTTLE
** 50005155	AZTREONAM INJECTION 1GM/15ML VIAL
** 50005157	AZTREONAM INJECTION 1GM/100ML BOTTLE
** 50005159	AZTREONAM INJECTION 2GM/15ML VIAL
** 50005161	AZTREONAM INJECTION 2GM/100ML BOTTLE
** 50001411	BACITRACIN INJECTION 10,000 UNITS IM
** 50001412	BACITRACIN INJECTION 50,000 UNITS IM
** 50001128	CHLORAMPHENICOL CAPSULE 250MG
** 50001413	CHLORAMPHENICOL CAPSULE 500MG

Item Number	Drug Name and Strength
** 50001236	CHLORAMPHENICOL PALMITATE ORAL SUSPENSION 150MG/5ML 60ML
** 50000061	CHLORAMPHENICOL SODIUM SUCCINATE INJECTION 1GM VIAL
** 50001414	CINOXACIN CAPSULE 250MG
** 50001415	CINOXACIN CAPSULE 500MG
** 50001793	CIPROFLOXACIN TABLET 250MG
** 50001795	CIPROFLOXACIN TABLET 500MG
** 50001797	CIPROFLOXACIN TABLET 750MG
** 50001416	CLINDAMYCIN HCL CAPSULE 75MG
** 50001417	CLINDAMYCIN HCL CAPSULE 150MG
** 50005804	CLINDAMYCIN HCL CAPSULE 300MG
** 50001418	CLINDAMYCIN PALMITATE GRANULES 75MG/5ML 100ML
** 50001420	CLINDAMYCIN PHOSPHATE INJECTION 300MG/2ML 2ML AMP/VIAL
** 50001421	CLINDAMYCIN PHOSPHATE INJECTION 600MG/4ML 4ML AMP/VIAL
** 50001419	CLINDAMYCIN PHOSPHATE INJECTION 900MG/6ML 6ML AMP/VIAL
** 50001423	COLISTIMETHATE SODIUM INJECTION 150MG VIAL
** 50001424	COLISTIN SULFATE ORAL SUSPENSION 25MG/5ML 60ML
** 50001219	DAPSONE TABLET 25MG
** 50001223	DAPSONE TABLET 100MG
** 50002013	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML; SULFISOXAZOLE ACETYL 600MG/5ML SUSP 100ML
** 50002015	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML; SULFISOXAZOLE ACETYL 600MG/5ML SUSP 150ML
** 50002017	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML; SULFISOXAZOLE ACETYL 600MG/5ML SUSP 200ML
** 50001425	FURAZOLIDONE LIQUID 50MG/15ML
** 50001426	FURAZOLIDONE TABLET 100MG
** 50000103	GANCYCLOVIR SODIUM INJECTION 500MG VIAL
** 50001427	HYDROXYSTILBAMIDINE ISOETHIONATE INJECTION 225MG/20ML AMP
** 50002331	IMIPENEM 250MG; CILASTATIN SODIUM 250MG INJECTION INFUSION VIAL
** 50002333	IMIPENEM 250MG; CILASTATIN SODIUM 250MG INJECTION VIAL
** 50002335	IMIPENEM 500MG; CILASTATIN SODIUM 500MG INJECTION INFUSION VIAL
** 50002339	IMIPENEM 500MG; CILASTATIN SODIUM 500MG INJECTION VIAL
** 00280108	LAMPRENE CAPSULE 50MG
** 00280109	LAMPRENE CAPSULE 100MG



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SECTION 141.800 ANTIMICROBIAL: MISCELLANEOUS (Cont'd)

Item Number	Drug Name and Strength
** 50001428	LINCOMYCIN CAPSULE 250MG
** 50001429	LINCOMYCIN CAPSULE 500MG
** 50001431	LINCOMYCIN INJECTION 300MG/ML 2ML SYRINGE
** 50001432	LINCOMYCIN INJECTION 300MG/ML 2ML VIAL
** 50001433	LINCOMYCIN INJECTION 300MG/ML 10ML VIAL
** 50001018	METHENAMINE HIPPURATE TABLET 1GM
** 50003780	METHENAMINE MANDELATE GRANULES 0.5GM
** 50003781	METHENAMINE MANDELATE GRANULES 1.0GM
** 50003778	METHENAMINE MANDELATE SUSP 50MG/ML
** 50003779	METHENAMINE MANDELATE SUSP 100MG/ML
** 50003735	METHENAMINE MANDELATE TAB 0.25GM
** 50003743	METHENAMINE MANDELATE TAB 0.50GM
** 50003751	METHENAMINE MANDELATE TAB 1.00GM
** 50001435	METHYLENE BLUE TABLET 65MG
** 50001436	NALIDIXIC ACID ORAL SUSPENSION 250MG/5ML
** 50001437	NALIDIXIC ACID TABLET 250MG
** 50001438	NALIDIXIC ACID TABLET 500MG
** 50001439	NALIDIXIC ACID TABLET 1GM
** 50005526	NEOMYCIN SULFATE EQ 40MG BASE/ML; POLYMYXIN B SULFATE 200,000U/ML 1ML
** 50005528	NEOMYCIN SULFATE EQ 40MG BASE/ML; POLYMYXIN B SULFATE 200,000U/ML 20ML
** 50005523	NORFLOXACIN TABLET 400MG
** 50001570	NOVOBIOCIN CAPSULE 250MG
** 50002428	PENTAMIDINE ISETHIONATE FOR INHALATION 300MG VIAL
** 50004951	PENTAMIDINE ISETHIONATE INJECTION 300MG/VIAL
** 50004028	PHENAZOPYRIDINE HCL TABLET 100MG
** 50004030	PHENAZOPYRIDINE HCL TABLET 200MG
** 50001571	POLYMYXIN B SULFATE INJECTION 500,000 UNITS/VIAL
** 50001572	SPECTINOMYCIN INJECTION 2GM VIAL
** 50001573	SPECTINOMYCIN INJECTION 4GM VIAL
** 50001218	SULFAMETHOXAZOLE 200MG/5ML; TRIMETHOPRIM 40MG/5ML SUSPENSION
** 50001220	SULFAMETHOXAZOLE 400MG; TRIMETHOPRIM 80MG TABLET
** 50001221	SULFAMETHOXAZOLE 800MG; TRIMETHOPRIM 160MG TABLET
** 50001217	SULFAMETHOXAZOLE 400MG/5ML; TRIMETHOPRIM 80MG/5ML INJECTION 5ML AMP/VIAL
** 50001574	SULFOXONE SODIUM TABLET ENTERIC COATED 165MG

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SECTION 141.800 ANTIMICROBIAL: MISCELLANEOUS (Cont'd)

Item Number	Drug Name and Strength
** 50001224	TRIMETHOPRIM TABLET 100MG
** 50001575	TRIMETHOPRIM TABLET 200MG
** 50006966	TROLEANDOMYCIN CAPSULE 250MG
** 50006874	TROLEANDOMYCIN SUSPENSION 125MG/5ML
** 50000901	VANCOMYCIN HCL CAPSULE 125MG
** 50000903	VANCOMYCIN HCL CAPSULE 250MG
** 50001576	VANCOMYCIN HCL INJECTION 500MG
** 50001579	VANCOMYCIN HCL INJECTION 1GM VIAL
** 50002523	VANCOMYCIN HCL ORAL SOLUTION 1GM/20ML
** 50001577	VANCOMYCIN HCL ORAL SOLUTION 10GM/115ML
** 50001578	VIDARABINE INJECTION 200MG/5ML 10ML VIAL
* 50009000	ZIDOVUDINE CAPSULE 100MG
(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)	
SECTION 141.1000 ANTIMICROBIAL: VACCINES	
Item Number	Drug Name and Strength
** 50004672	HEPATITIS B VACCINE 10MCG ANTIGEN/ML 0.5ML VIAL
** 50004670	HEPATITIS B VACCINE 20MCG ANTIGEN/ML 3ML MULTI-DOSE VIAL
** 50001900	HEPATITIS B VACCINE (RECOMBINANT) 5MCG/0.5ML 1 DOSE VIAL
** 50001588	HEPATITIS B VACCINE (RECOMBINANT) 10MCG/0.5ML SINGLE DOSE VIAL
** 50001904	HEPATITIS B VACCINE (RECOMBINANT) 10MCG/ML 1ML VIAL
** 50001902	HEPATITIS B VACCINE (RECOMBINANT) 10MCG/ML 3 DOSE VIAL
** 50001592	HEPATITIS B VACCINE (RECOMBINANT) 20MCG/ML SINGLE DOSE VIAL
** 50004666	PNEUMOCOCCAL VACCINE - POLYVALENT
** 40004232	TETANUS TOXOID INJECTION ADSORBED 0.5ML
(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)	



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SECTION 141.1125

BLOOD: MISCELLANEOUS

Drug Name and Strength

\*\* 05553126 EPOGEN INJECTION 2,000U/ML IML VIAL  
\*\* (MUST BILL MEDICARE FIRST, IF ELIG.)  
\*\* 05553148 EPOGEN INJECTION 4,000U/ML IML VIAL  
\*\* (MUST BILL MEDICARE FIRST, IF ELIG.)  
\*\* 05553144 EPOGEN INJECTION 10,000U/ML IML VIAL  
\*\* (MUST BILL MEDICARE FIRST, IF ELIG.)  
\*\* 00390078 TRENTAL CONTROLLED RELEASE TABLET 400MG

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

SECTION 141.1200

CARDIOVASCULAR: ANTIANGINAL

Item Number

Drug Name and Strength

\*\* 00332437 CARDENE CAPSULE 20MG  
\*\* 00332438 CARDENE CAPSULE 30MG  
\*\* 00810166 CARDILATE TABLET ORAL/SUBLING 5MG  
\*\* 00810168 CARDILATE TABLET ORAL/SUBLING 10MG  
\*\* 00881777 CARDIZEM SR CAPSULE 60MG  
\*\* 00881778 CARDIZEM SR CAPSULE 90MG  
\*\* 00881779 CARDIZEM SR CAPSULE 120MG  
\*\* 00881771 CARDIZEM TABLET 30MG  
\*\* 00881772 CARDIZEM TABLET 60MG  
\*\* 00881791 CARDIZEM TABLET 90MG  
\*\* 00881792 CARDIZEM TABLET 120MG  
\*\* 50003265 ISOSORBIDE DINITRATE TAB 2.5MG SUBLINGUAL  
\*\* 50003267 ISOSORBIDE DINITRATE TAB 5MG ORAL  
\*\* 50003281 ISOSORBIDE DINITRATE TAB 5MG SUBLINGUAL  
\*\* 50003280 ISOSORBIDE DINITRATE TAB 10MG ORAL  
\*\* 50003278 ISOSORBIDE DINITRATE TAB 10MG SUBLINGUAL  
\*\* 50003285 ISOSORBIDE DINITRATE TAB 20MG ORAL  
\*\* 50003284 ISOSORBIDE DINITRATE TAB/CAP 30MG ORAL  
\*\* 50003270 ISOSORBIDE DINITRATE TAB/CAP 40MG ORAL  
\*\* 50003270 ISOSORBIDE DINITRATE TAB/CAP 40MG ORAL  
\*\* 50003282 ISOSORBIDE DINITRATE TAB/CAP 40MG SA  
\*\* 50001365 NIFEDIPINE CAPSULE 10MG  
\*\* 50002527 NIFEDIPINE CAPSULE 20MG  
\*\* 50002200 NIFEDIPINE TABLET SUSTAINED RELEASE 30MG  
\*\* 50002202 NIFEDIPINE TABLET SUSTAINED RELEASE 60MG  
\*\* 50002204 NIFEDIPINE TABLET SUSTAINED RELEASE 90MG  
\*\* 00262855 NIMOTOP CAPSULE 30MG  
\*\* 50005521 NITROGLYCERIN AEROSOL SPRAY 0.4MG/DOSE 13.8GM  
UNIT 200 DOSES/UNIT

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SECTION 141.1200

CARDIOVASCULAR: ANTIANGINAL (Cont'd)

Item Number

Drug Name and Strength

\*\* 50000746 NITROGLYCERIN OINTMENT 20GM  
\*\* 50000748 NITROGLYCERIN OINTMENT 30GM  
\*\* 50000750 NITROGLYCERIN OINTMENT 60GM  
50002040 NITROGLYCERIN PATCH 3.3CM2 2.5MG/24HR  
50002035 NITROGLYCERIN PATCH 5CM2 2.5MG/24HR  
50002042 NITROGLYCERIN PATCH 6.7CM2 5MG/24HR  
50002133 NITROGLYCERIN PATCH 8CM2 5MG/24HR  
50002034 NITROGLYCERIN PATCH 10CM2 5MG/24HR  
50002033 NITROGLYCERIN PATCH 10CM2 5MG/24HR  
50002048 NITROGLYCERIN PATCH 13.3CM2 10MG/24HR  
50002037 NITROGLYCERIN PATCH 15CM2 7.5MG/24HR  
50002138 NITROGLYCERIN PATCH 16CM2 5MG/24HR  
50002134 NITROGLYCERIN PATCH 16CM2 10MG/24HR  
50002036 NITROGLYCERIN PATCH 20CM2 10MG/24HR  
50002049 NITROGLYCERIN PATCH 20.0CM2 15MG/24HR  
50005135 NITROGLYCERIN PATCH 30CM2 15MG/24HR  
50002140 NITROGLYCERIN PATCH 32CM2 10MG/24HR  
50000770 NITROGLYCERIN SR TAB/CAP 1.3MG  
50000772 NITROGLYCERIN SR TAB/CAP 2.5MG 60'S  
50000774 NITROGLYCERIN SR TAB/CAP 2.5MG 100'S  
50000778 NITROGLYCERIN SR TAB/CAP 2.6MG  
50000780 NITROGLYCERIN SR TAB/CAP 6.5MG 60'S  
50000782 NITROGLYCERIN SR TAB/CAP 9.0MG 60'S  
50000784 NITROGLYCERIN SR TAB/CAP 9.0MG 100'S  
50000732 NITROGLYCERIN SUBLINGUAL TAB 0.15MG 25'S  
50000730 NITROGLYCERIN SUBLINGUAL TAB 0.15MG 100'S  
50000736 NITROGLYCERIN SUBLINGUAL TAB 0.3MG 25'S  
50000734 NITROGLYCERIN SUBLINGUAL TAB 0.3MG 100'S  
50000740 NITROGLYCERIN SUBLINGUAL TAB 0.4MG 25'S  
50000738 NITROGLYCERIN SUBLINGUAL TAB 0.4MG 100'S  
50000744 NITROGLYCERIN SUBLINGUAL TAB 0.6MG 25'S  
50000742 NITROGLYCERIN SUBLINGUAL TAB 0.6MG 100'S  
50003874 NITROGLYCERIN TRANSMUCOSAL CONTROLLED  
RELEASE TABLET 1MG  
50003876 NITROGLYCERIN TRANSMUCOSAL CONTROLLED  
RELEASE TABLET 2MG  
50003878 NITROGLYCERIN TRANSMUCOSAL CONTROLLED  
RELEASE TABLET 3MG  
50004218 VERAPAMIL HCL TABLET 40MG  
50004220 VERAPAMIL HCL TABLET 80MG  
50004222 VERAPAMIL HCL TABLET 120MG

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## SECTION 141.1200 CARDIOVASCULAR: ANTIANGINAL (Cont'd)

Item Number	Drug Name and Strength
** 50004224	VERAPAMIL HCL TABLET SUST RELEASE 240MG
(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)	

## SECTION 141.1280 CARDIOVASCULAR: ANTIHYPERLIPIDEMICS

Item Number	Drug Name and Strength
** 50004593	CHOLESTYRAMINE RESIN BAR 4GM
** 50001227	CHOLESTYRAMINE RESIN POWDER LIGHT 5GM PACKET
** 50001229	CHOLESTYRAMINE RESIN POWDER LIGHT 210GM CAN
** 50004597	CHOLESTYRAMINE RESIN POWDER PACKET 4GM
** 50004595	CHOLESTYRAMINE RESIN POWDER 378GM CAN
00481230	CHOLEXIN TABLET 1MG
00481250	CHOLEXIN TABLET 2MG
00481270	CHOLEXIN TABLET 4MG
00481290	CHOLEXIN TABLET 6MG
50002851	CLOFIBRATE CAPSULE 500MG
00090260	COLESTID POWDER - BOTTLE 500GM
00091260	COLESTID POWDER - PACKETS
** 00710669	LOPID CAPSULE 300MG
** 00710737	LOPID TABLET 600MG
01830051	LORELCO TABLET 250MG
00680053	LORELCO TABLET 500MG
** 00060731	MEVACOR TABLET 20MG
** 00060732	MEVACOR TABLET 40MG

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.1320 CARDIOVASCULAR: BETA BLOCKERS

Item Number	Drug Name and Strength
** 00030232	CORGARD TABLET 20MG
** 00030207	CORGARD TABLET 40MG
** 00030241	CORGARD TABLET 80MG
** 00030208	CORGARD TABLET-120MG
** 00030246	CORGARD TABLET-160MG
** 40001069	LABELALOL HCL TABLET 100MG
** 50003386	LABELALOL HCL TABLET 200MG
** 50003388	LABELALOL HCL TABLET 300MG

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## SECTION 141.1320 CARDIOVASCULAR: BETA BLOCKERS (Cont'd)

Item Number	Drug Name and Strength
** 00214500	LEVATOL TABLET 20MG
** 00280091	EXPRESSOR-TABBBET-50MG
** 00280071	EXPRESSOR-TABBBET-100MG
** 50002101	METOPROLOL TABLET 50MG
** 50002103	METOPROLOL TABLET 100MG
G 50005440	PROPRANOLOL HCL INJECTION 1MG/1ML AMP
** 50005468	PROPRANOLOL HCL LONG ACTING CAPSULE 60MG
** 50005470	PROPRANOLOL HCL LONG ACTING CAPSULE 80MG
** 50005475	PROPRANOLOL HCL LONG ACTING CAPSULE 120MG
** 50005480	PROPRANOLOL HCL LONG ACTING CAPSULE 160MG

** 50005442	PROPRANOLOL HCL TABLET 10MG
** 50005444	PROPRANOLOL HCL TABLET 20MG
** 50005446	PROPRANOLOL HCL TABLET 40MG
** 50005448	PROPRANOLOL HCL TABLET 60MG
** 50005450	PROPRANOLOL HCL TABLET 80MG
** 50005452	PROPRANOLOL HCL TABLET 90MG
** 00824177	SECTRAL CAPSULE 200MG
** 00824179	SECTRAL CAPSULE 400MG
** 00380105	TENORMIN TABLET 50MG
** 00380101	TENORMIN TABLET 100MG
** 50007401	TIMOLOL MALEATE TABLET 10MG
** 50007402	TIMOLOL MALEATE TABLET 20MG
** 00780111	VISKEN TABLET 5MG
** 00780073	VISKEN TABLET 10MG

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.1520 DIURETICS

Item Number	Drug Name and Strength
** 50002400	ACETAZOLAMIDE SUSTAINED RELEASE CAPSULE 500MG
** 50002404	ACETAZOLAMIDE TABLET 125MG
** 50002406	ACETAZOLAMIDE TABLET 250MG
** 50002039	AMILORIDE HCL 5MG; HYDROCHLOROTHIAZIDE 50MG TABLET
** 50005510	CHLOROTHIAZIDE SUSPENSION 250MG/5ML
** 50005250	CHLOROTHIAZIDE TABLET 250MG
** 50005500	CHLOROTHIAZIDE TABLET 500MG
** 04840806	DYRENIUM CAPSULE 50MG
** 04840807	DYRENIUM CAPSULE 100MG



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## SECTION 141.1520 DIURETICS (Cont'd)

Item Number	Drug Name and Strength
** 50000460	FUROSEMIDE INJECTION 10MG/ML 2ML AMP
** 50000464	FUROSEMIDE INJECTION 10MG/ML 4ML AMP
** 50000468	FUROSEMIDE INJECTION 10MG/ML 10ML AMP
** 50000470	FUROSEMIDE ORAL SOLUTION 10MG/ML 60ML
** 50000472	FUROSEMIDE ORAL SOLUTION 10MG/ML 120ML
** 50000474	FUROSEMIDE TABLET 20MG
** 50000476	FUROSEMIDE TABLET 40MG
** 50000478	FUROSEMIDE TABLET 80MG
** 50003158	HYDROCHLOROTHIAZIDE TABLET 25MG
** 50003166	HYDROCHLOROTHIAZIDE TABLET 50MG
** 50003168	HYDROCHLOROTHIAZIDE TABLET 100MG
** 50007363	HYDROCHLOROTHIAZIDE 25MG; SPIRONOLATONE 25MG TABLET
** 50007167	HYDROCHLOROTHIAZIDE 25MG; TRIAMTERENE 37.5MG TABLET
** 50000530	HYDROCHLOROTHIAZIDE 25MG; TRIAMTERENE 50MG CAPSULE
** 50007169	HYDROCHLOROTHIAZIDE 50MG; TRIAMTERENE 75MG TABLET
** 50003588	METHYDCLOTHIAZIDE TABLET 2.5MG
** 50003589	METHYDCLOTHIAZIDE TABLET 5.0MG
** 50005596	METOLAZONE TABLET 0.5MG
** 50005693	METOLAZONE TABLET 2.5MG
** 50005694	METOLAZONE TABLET 5MG
** 50005695	METOLAZONE TABLET 10MG
** 00054565	NEPTAZANE TABLET 25MG
** 00054570	NEPTAZANE TABLET 50MG
** 50007362	SPIRONOLACTONE TABLET 25MG
** 50007364	SPIRONOLACTONE TABLET 100MG
** 50004073	TRICHLORMETHIAZIDE TABLET 2MG
** 50004081	TRICHLORMETHIAZIDE TABLET 4MG

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.2400 GASTROINTESTINAL: MISCELLANEOUS

Item Number	Drug Name and Strength
** 00830153	ACTIGALL CAPSULE 300MG
** 00023144	AXID CAPSULE 150MG
** 00023145	AXID CAPSULE 300MG
** 00881712	CARAFATE TABLET 1GM
** 00327720	CHENIX TABLET 250MG

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## SECTION 141.2400 GASTROINTESTINAL: MISCELLANEOUS (Cont'd)

Item Number	Drug Name and Strength
50004242	METOCLOPRAMIDE HCL SYRUP 5MG/5ML
50004924	METOCLOPRAMIDE HCL TABLET 5MG
50004916	METOCLOPRAMIDE HCL TABLET 10MG
00063539	PEPCID INJECTION 20MG/2ML ONE DOSE VIAL
00063541	PEPCID INJECTION 20MG/2ML TWO DOSE VIAL
00063538	PEPCID SUSPENSION 40MG/5ML
00060963	PEPCID TABLET 20MG
00060964	PEPCID TABLET 40MG
** 00321924	ROWASA RECTAL SUSPENSION ENEMA 4GM/60ML
01085029	TAGAMET INJECTION 300MG IN SODIUM CHLORIDE 0.9% 50ML PLASTIC CONTAINERS
01085017	TAGAMET INJECTION 300MG/2ML 2ML VIAL
01085022	TAGAMET INJECTION 300MG/2ML 8ML VIAL
01085014	TAGAMET ORAL LIQUID 300MG/5ML
01085012	TAGAMET TABLET 200MG
01085013	TAGAMET TABLET 300MG
01085026	TAGAMET TABLET 400MG
01085027	TAGAMET TABLET 800MG
01730362	ZANTAC INJECTION 25MG/ML 2ML VIAL
01730363	ZANTAC INJECTION 25MG/ML 10ML VIAL
01730383	ZANTAC SYRUP 15MG/ML
01730344	ZANTAC TABLET 150MG
01730393	ZANTAC TABLET 300MG

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.2600 HOMEOSTATIC/NUTRITIONAL: INSULIN

Item Number	Drug Name and Strength
** 00031834	INSULIN NOVOLIN N PENFILL 100U/ML 1.5ML (150U) CARTRIDGE
** 00031833	INSULIN NOVOLIN R PENFILL 100U/ML 1.5ML (150U) CARTRIDGE
** 00031837	INSULIN NOVOLIN 70/30 PENFILL 100U/ML 1.5ML (150U) CARTRIDGE
** 50007290	INSULIN-U100-BENTB---1-VIAB
** 50007291	INSULIN-U100-BENTB---2-VIAB
** 50007292	INSULIN-U100-BENTB---3-VIAB
** 50008190	INSULIN-U100-NPH---1-VIAB
** 50007228	INSULIN-U100-NPH---2-VIAB
** 50007229	INSULIN-U100-NPH---3-VIAB
** 50007287	INSULIN-U100-PZ---1-VIAB



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SECTION 141.2600 HOMEOSTATIC/NUTRITIONAL: INSULIN (Cont'd)

Item Number	Drug Name and Strength
** 50007288	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50007289	RECOMBINANT, BIOSYNTHETIC
** 50007290	INSULIN U-100 HUMAN REG 10ML 3 VIALS
** 50007291	RECOMBINANT, BIOSYNTHETIC
** 50007292	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50007293	RECOMBINANT, BIOSYNTHETIC
** 50007294	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50007295	RECOMBINANT, BIOSYNTHETIC
** 50007296	INSULIN U-100 HUMAN REG 10ML 3 VIALS
** 50007297	RECOMBINANT, BIOSYNTHETIC
** 50007298	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50005100	RECOMBINANT, BIOSYNTHETIC
** 50005102	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50005104	RECOMBINANT, BIOSYNTHETIC
** 50005106	INSULIN U-100 HUMAN REG 10ML 3 VIALS
** 50005108	RECOMBINANT, BIOSYNTHETIC
** 50005110	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50005200	RECOMBINANT, BIOSYNTHETIC
** 50005202	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50005204	RECOMBINANT, BIOSYNTHETIC
** 50005112	INSULIN U-100 HUMAN REG 10ML 3 VIALS
** 50005114	RECOMBINANT, BIOSYNTHETIC
** 50005116	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50005206	RECOMBINANT, BIOSYNTHETIC
** 50005208	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50005210	RECOMBINANT, BIOSYNTHETIC
** 50005118	INSULIN U-100 HUMAN REG 10ML 3 VIALS

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.2600 HOMEOSTATIC/NUTRITIONAL: INSULIN (Cont'd)

Item Number	Drug Name and Strength
** 50005120	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50005122	RECOMBINANT, BIOSYNTHETIC
** 50005212	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50005214	RECOMBINANT, BIOSYNTHETIC
** 50005216	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50005128	RECOMBINANT, BIOSYNTHETIC
** 50005130	INSULIN U-100 HUMAN REG 10ML 3 VIALS
** 50005132	RECOMBINANT, BIOSYNTHETIC
** 50005136	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50005138	RECOMBINANT, BIOSYNTHETIC
** 50005140	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50005218	RECOMBINANT, BIOSYNTHETIC
** 50005220	INSULIN U-100 HUMAN REG 10ML 3 VIALS
** 50005222	RECOMBINANT, BIOSYNTHETIC
** 50003483	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50007232	RECOMBINANT, BIOSYNTHETIC
** 50007233	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50007299	RECOMBINANT, BIOSYNTHETIC
** 50007300	INSULIN U-100 HUMAN REG 10ML 3 VIALS
** 50007301	RECOMBINANT, BIOSYNTHETIC
** 50007151	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50007145	RECOMBINANT, BIOSYNTHETIC
** 50007153	INSULIN U-100 HUMAN REG 10ML 2 VIALS
** 50003484	RECOMBINANT, BIOSYNTHETIC
** 50007235	INSULIN U-100 HUMAN REG 10ML 3 VIALS
** 50003485	RECOMBINANT, BIOSYNTHETIC
** 50007238	INSULIN U-100 HUMAN REG 10ML 1 VIAL
** 50007239	RECOMBINANT, BIOSYNTHETIC
** 50007302	INSULIN U-100 HUMAN REG 10ML 2 VIALS

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.2600 HOMEOSTATIC/NUTRITIONAL: INSULIN (Cont'd)

Item Number	Drug Name and Strength
** 50007303	INSULIN U100 PURIFIED PORK NPH - 2 VIALS
** 50007304	INSULIN U100 PURIFIED PORK NPH - 3 VIALS
** 50007341	INSULIN U100 PURIFIED PORK PZ - 1 VIAL
** 50007342	INSULIN U100 PURIFIED PORK PZ - 2 VIALS
** 50007343	INSULIN U100 PURIFIED PORK PZ - 3 VIALS
** 50003486	INSULIN U100 PURIFIED PORK REGULAR - 1 VIAL
** 50007240	INSULIN U100 PURIFIED PORK REGULAR - 2 VIALS
** 50007241	INSULIN U100 PURIFIED PORK REGULAR - 3 VIALS
** 50005411	INSULIN U100 PURIFIED PORK 70/30 - 1 VIAL
** 50005413	INSULIN U100 PURIFIED PORK 70/30 - 2 VIALS
** 50005414	INSULIN U100 PURIFIED PORK 70/30 - 3 VIALS
** 50007290	INSULIN U100 STANDARD LENTE - 1 VIAL
** 50007291	INSULIN U100 STANDARD LENTE - 2 VIALS
** 50007292	INSULIN U100 STANDARD LENTE - 3 VIALS
** 50008100	INSULIN U100 STANDARD NPH - 1 VIAL
** 50007228	INSULIN U100 STANDARD NPH - 2 VIALS
** 50007229	INSULIN U100 STANDARD NPH - 3 VIALS
** 50007287	INSULIN U100 STANDARD PZ - 1 VIAL
** 50007288	INSULIN U100 STANDARD PZ - 2 VIALS
** 50007289	INSULIN U100 STANDARD PZ - 3 VIALS
** 50007100	INSULIN U100 STANDARD REGULAR - 1 VIAL
** 50007230	INSULIN U100 STANDARD REGULAR - 2 VIALS
** 50007231	INSULIN U100 STANDARD REGULAR - 3 VIALS
** 50007293	INSULIN U100 STANDARD SEMI-LENTE - 1 VIAL
** 50007294	INSULIN U100 STANDARD SEMI-LENTE - 2 VIALS
** 50007295	INSULIN U100 STANDARD SEMI-LENTE - 3 VIALS
** 50007296	INSULIN U100 STANDARD ULTRA-LENTE - 1 VIAL
** 50007297	INSULIN U100 STANDARD ULTRA-LENTE - 2 VIALS
** 50007298	INSULIN U100 STANDARD ULTRA-LENTE - 3 VIALS
** 60009927	INSULIN U100, U500 NOT OTHERWISE LISTED (INCLUDING HUMAN)--GIVE FULL DESCRIPTION

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.3120 HORMONES/AGENTS AFFECTING MECHANISMS: THYROID

Item Number	Drug Name and Strength
** 50001317	LEVOTHYROXINE INJECTION 500MCG W DILUENT
** 50002330	LEVOTHYROXINE TABLET 0.025MG
** 50002332	LEVOTHYROXINE TABLET 0.05MG
** 50002328	LEVOTHYROXINE TABLET 0.075MG
** 50002334	LEVOTHYROXINE TABLET 0.1MG

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## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.3120 HORMONES/AGENTS AFFECTING MECHANISMS: THYROID (Cont'd)

Item Number	Drug Name and Strength
** 50001850	LEVOTHYROXINE TABLET 0.112MG
** 50002344	LEVOTHYROXINE TABLET 0.125MG
** 50002336	LEVOTHYROXINE TABLET 0.15MG
** 50002337	LEVOTHYROXINE TABLET 0.175MG
** 50002338	LEVOTHYROXINE TABLET 0.2MG
** 50002340	LEVOTHYROXINE TABLET 0.3MG
** 50002342	LEVOTHYROXINE TABLET 0.5MG
** 50003122	LIOTHYRONINE SODIUM 5MCG TAB/CAP
** 50003124	LIOTHYRONINE SODIUM 25MCG TAB/CAP
** 50003126	LIOTHYRONINE SODIUM 50MCG TAB/CAP
** 50007180	THYROGLOBULIN TAB/CAP 15MG
** 50007182	THYROGLOBULIN TAB/CAP 30MG
** 50007184	THYROGLOBULIN TAB/CAP 65MG
** 50007186	THYROGLOBULIN TAB/CAP 100MG
** 50007188	THYROGLOBULIN TAB/CAP 130MG
** 50007190	THYROGLOBULIN TAB/CAP 200MG
** 50006025	THYROID TAB/CAP 15MG(1/4 GRAIN)
** 50006033	THYROID TAB/CAP 30MG(1/2 GRAIN)
** 50006041	THYROID TAB/CAP 60MG(1GRAIN)
** 50006043	THYROID TAB/CAP 90MG(1 1/2 GRAIN)
** 50006050	THYROID TAB/CAP 130MG (2 GRAIN)
** 50006051	THYROID TAB/CAP 200MG (3 GRAIN)
** 50006052	THYROID TAB/CAP 250MG (4 GRAIN)
** 50006053	THYROID TAB/CAP 300MG (5 GRAIN)
** 00533610	THYTROPAR INJECTION 10IU VIAL

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.3560 ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS

Item Number	Drug Name and Strength
** 60009946	ANTINEOPLASTIC ORAL PRODUCTS - NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60009947	ANTINEOPLASTIC PARENTERAL PRODUCTS - NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50005349	DACARBAZINE INJECTION 100MG VIAL
** 50005351	DACARBAZINE INJECTION 200MG VIAL
** 00064612	ELSPAR INJECTION 10,000IU/10ML VIAL
** 00030830	HYDREA CAPSULE 500MG
** 00850647	INTRON A INJECTION 3 MILLION IU VIAL



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SECTION 141.3560 ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS  
(Cont'd)

Item Number	Drug Name and Strength
** 00850120	INTRON A INJECTION 5 MILLION IU VIAL
** 00850571	INTRON A INJECTION 10 MILLION IU VIAL
** 00850285	INTRON A INJECTION 25 MILLION IU VIAL
** 00850539	INTRON A INJECTION 50 MILLION IU VIAL
** 00054522	LEUCOVORIN CALCIUM INJECTION 3MG/1ML AMP
** 50005550	LEUCOVORIN CALCIUM INJECTION 5MG/ML 1ML
** 50005555	LEUCOVORIN CALCIUM INJECTION 5MG/ML 5ML
** 00054527	LEUCOVORIN CALCIUM INJECTION 50MG VIAL
** 50001714	LEUCOVORIN CALCIUM INJECTION 100MG VIAL
** 50005540	LEUCOVORIN CALCIUM TABLET 5MG
** 50005834	LEUCOVORIN CALCIUM TABLET 15MG
** 50005545	LEUCOVORIN CALCIUM TABLET 25MG
** 03268213	LYSODREN TABLET 500MG
** 00040053	MATULANE CAPSULE 50MG
** 00041933	ROFERON A INJECTION 3 MILLION IU/0.5ML POWDER VIAL WITH DILUENT
** 00041988	ROFERON A INJECTION 3 MILLION IU/0.5ML 3ML VIAL
** 00041987	ROFERON A INJECTION 3 MILLION IU/ML 1ML VIAL
** 00042005	ROFERON-A INJECTION 36 MILLION IU/ML 1ML
** 00153091	VEPESID CAPSULE 50MG
** 00153095	VEPESID INJECTION 20MG/ML 5ML VIAL
** 50003601	VINBLASTINE SULFATE 10MG/10ML VIAL
** 50003603	VINCRISTINE SULFATE 1MG/ML 1ML
** 50003605	VINCRISTINE SULFATE 1MG/ML 2ML
** 50003607	VINCRISTINE SULFATE 1MG/ML 5ML

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

SECTION 141.3800 PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS

Item Number	Drug Name and Strength
** 50005125	AMITRIPTYLINE HCL 12.5MG; CHLORDIAZEPOXIDE 5MG TABLET
** 50005127	AMITRIPTYLINE HCL 25MG; CHLORDIAZEPOXIDE 10MG TABLET
** 50006630	AMITRIPTYLINE HCL INJ 10MG/ML 10ML VIAL
** 50002710	AMITRIPTYLINE HCL TABLET 10MG
** 50002725	AMITRIPTYLINE HCL TABLET 25MG
** 50002750	AMITRIPTYLINE HCL TABLET 50MG
** 50002775	AMITRIPTYLINE HCL TABLET 75MG

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SECTION 141.3800 PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS (Cont'd)

Item Number	Drug Name and Strength
** 50002900	AMITRIPTYLINE HCL TABLET-100MG
** 50002850	AMITRIPTYLINE HCL TABLET-150MG
** 50006445	DESIPRAMINE HCL CAPSULE 25MG
** 50006447	DESIPRAMINE HCL CAPSULE 50MG
** 50004635	DESIPRAMINE HCL TABLET 10MG
** 50001815	DESIPRAMINE HCL TABLET 25MG
** 50001816	DESIPRAMINE HCL TABLET 50MG
** 50001822	DESIPRAMINE HCL TABLET 75MG
** 50001824	DESIPRAMINE HCL TABLET 100MG
** 50001826	DESIPRAMINE HCL TABLET 150MG
** 50005359	DOXEPIN HCL CONCENTRATE 10MG/ML 120ML
** 50005352	DOXEPIN HCL CAPSULE 10MG
** 50005353	DOXEPIN HCL CAPSULE 25MG
** 50005354	DOXEPIN HCL CAPSULE 50MG
** 50005356	DOXEPIN HCL CAPSULE 75MG
** 50005357	DOXEPIN HCL CAPSULE 100MG
** 50005358	DOXEPIN HCL CAPSULE 150MG
** 50003474	IMIPRAMINE HCL INJECTION 25MG/2ML 2ML AMP
** 50006068	IMIPRAMINE HCL TABLET 10MG
** 50006076	IMIPRAMINE HCL TABLET 25MG
** 50006078	IMIPRAMINE HCL TABLET 50MG
** 50003541	MAPROTILINE HCL TABLET 25MG
** 50003543	MAPROTILINE HCL TABLET 50MG
** 50003545	MAPROTILINE HCL TABLET 75MG
** 00470270	NARDIL TABLET 15MG
** 50002005	NORTRIPTYLINE HCL SOLUTION 10MG/5ML
** 50002010	NORTRIPTYLINE HCL CAPSULE 10MG
** 50002025	NORTRIPTYLINE HCL CAPSULE 25MG
** 50002511	NORTRIPTYLINE HCL CAPSULE 50MG
** 50002075	NORTRIPTYLINE HCL CAPSULE 75MG
** 00071471	PARNATE TABLET 10MG
** 07773105	PROZAC CAPSULE 20MG
** 50000771	TRAZODONE HCL TABLET 50MG
** 50000773	TRAZODONE HCL TABLET 100MG
** 50000775	TRAZODONE HCL TABLET 150MG
** 50000777	TRAZODONE HCL TABLET 300MG

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)



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## SECTION 141.3840 PSYCHOTHERAPEUTIC: ANTIMANIC

Item Number	Drug Name and Strength
** 50004757	LITHIUM CARBONATE CAPSULE 150MG
** 50004755	LITHIUM CARBONATE CAPSULE 300MG
** 50001914	LITHIUM CARBONATE CAPSULE 600MG
** 50004760	LITHIUM CARBONATE TABLET 300MG
** 50004761	LITHIUM CARBONATE TAB/CAP 300MG SR
** 50004660	LITHIUM CARBONATE TAB/CAP 450MG SR
** 50004759	LITHIUM CITRATE SYRUP - 8MEQ LITHIUM/5ML

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC

Item Number	Drug Name and Strength
** 50005940	CHLORPROMAZINE CAPSULE SR 30MG
** 50005959	CHLORPROMAZINE CAPSULE SR 75MG
** 50005960	CHLORPROMAZINE CAPSULE SR 150MG
** 50005961	CHLORPROMAZINE CAPSULE SR 200MG
** 50005962	CHLORPROMAZINE CAPSULE SR 300MG
** 50006010	CHLORPROMAZINE CONCENTRATE 30MG/ML 120ML
** 50006012	CHLORPROMAZINE CONCENTRATE 100MG/ML 240ML
** 50000065	CHLORPROMAZINE INJECTION 25MG/ML 10ML VIAL
** 50000066	CHLORPROMAZINE INJECTION 25MG/ML AMP
** 50000068	CHLORPROMAZINE INJECTION 50MG/2ML AMP
** 50005991	CHLORPROMAZINE SUPPOSITORY 25MG
** 50006009	CHLORPROMAZINE SUPPOSITORY 100MG
** 50005983	CHLORPROMAZINE SYRUP 10MG/5ML 120ML
** 50005908	CHLORPROMAZINE TABLET 10MG
** 50005916	CHLORPROMAZINE TABLET 25MG
** 50005924	CHLORPROMAZINE TABLET 50MG
** 50005932	CHLORPROMAZINE TABLET 100MG
** 50005934	CHLORPROMAZINE TABLET 200MG
** 50003437	FLUPHENAZINE DECANOATE INJ 25MG/ML 1ML S
** 50003438	FLUPHENAZINE DECANOATE INJ 25MG/ML 5ML V
** 50003439	FLUPHENAZINE ENANTHATE INJ 25MG/ML 1ML S
** 50003440	FLUPHENAZINE ENANTHATE INJ 25MG/ML 5ML V
** 50002778	FLUPHENAZINE HYDROCHLORIDE CONC 5MG/CC
** 50002777	FLUPHENAZINE HYDROCHLORIDE ELIXIR .5MG/CC
** 50002776	FLUPHENAZINE HYDROCHLORIDE TAB RA 1MG
** 50002780	FLUPHENAZINE HYDROCHLORIDE TAB 0.25MG
** 50002781	FLUPHENAZINE HYDROCHLORIDE TAB 1.00MG
** 50002782	FLUPHENAZINE HYDROCHLORIDE TAB 2.50MG
** 50002783	FLUPHENAZINE HYDROCHLORIDE TAB 5.00MG

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## SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)

Item Number	Drug Name and Strength
** 50002784	FLUPHENAZINE HYDROCHLORIDE TAB-10.00MG
** 50003441	FLUPHENAZINE-HCL INJ 2.5MG/ML 10ML VIAL
** 50003799	HALOPERIDOL DECANOATE INJ 70.52MG/ML (50MG/ML HALOPERIDOL) 1ML AMP/VIAL
** 50003803	HALOPERIDOL DECANOATE INJ 70.52MG/ML (50MG/ML HALOPERIDOL) 5ML VIAL
** 50001408	HALOPERIDOL DECANOATE INJ 141.04MG/ML (100MG/ML HALOPERIDOL) 5ML VIAL
** 50004805	HALOPERIDOL INJECTION 5MG/ML 1ML
** 50004807	HALOPERIDOL INJECTION 5ML/ML 10ML
** 50004801	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML 15ML
** 50004803	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML 240ML
** 50004809	HALOPERIDOL TABLET 0.5MG
** 50004811	HALOPERIDOL TABLET 1.0MG
** 50004813	HALOPERIDOL TABLET 2.0MG
** 50004815	HALOPERIDOL TABLET 5.0MG
** 50004817	HALOPERIDOL TABLET 10.0MG
** 50004819	HALOPERIDOL TABLET 20.0MG
** 00055385	LOXAPINE HCL INJ IM 1ML AMP 50MG/ML
** 00056385	LOXAPINE HCL INJ IM 10ML VIAL 50MG/ML
** 50002357	LOXAPINE SUCCINATE 5MG
** 50002358	LOXAPINE SUCCINATE 10MG
** 50002360	LOXAPINE SUCCINATE 25MG
** 50002362	LOXAPINE SUCCINATE 50MG
** 50002366	LOXAPINE SUCCINATE CONCENTRATE 25MG/ML
** 50003128	MOLINDONE HCL 5MG TAB/CAP
** 50003130	MOLINDONE HCL 10MG TAB/CAP
** 50003132	MOLINDONE HCL 25MG TAB/CAP
** 50003134	MOLINDONE HCL 50MG TAB/CAP
** 50003136	MOLINDONE HCL 100MG TAB/CAP
** 50002009	MOLINDONE HCL CONCENTRATE 20MG/ML
** 00450352	ORAP TABLET 2MG
** 50003170	PERPHENAZINE CONCENTRATE 16MG/5ML 118ML
** 50003172	PERPHENAZINE INJECTION 5MG/ML 1ML
** 50003176	PERPHENAZINE TABLET 2MG
** 50003178	PERPHENAZINE TABLET 4MG
** 50003180	PERPHENAZINE TABLET 8MG
** 50003174	PERPHENAZINE TABLET SUSTAINED ACTION 8MG
** 50003182	PERPHENAZINE TABLET 16MG
** 50007347	PROCHLORPERAZINE EDIS INJ 5MG/ML 10ML VIAL
** 50007348	PROCHLORPERAZINE EDIS INJ 10MG/2ML AMP
** 50007354	PROCHLORPERAZINE EDISYLATE CONC 10MG/ML

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## SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)

Item Number	Drug Name and Strength
** 50007350	PROCHLORPERAZINE EDISYLATE SYR 5MG/5ML
** 50007351	PROCHLORPERAZINE MALEATE TAB/CAP 5MG
** 50007352	PROCHLORPERAZINE MALEATE TAB/CAP 10MG
** 50007353	PROCHLORPERAZINE MALEATE TAB/CAP 25MG
** 50007358	PROCHLORPERAZINE MALEATE TR CAP/TAB 10MG
** 50007359	PROCHLORPERAZINE MALEATE TR CAP/TAB 15MG
** 50007360	PROCHLORPERAZINE MALEATE TR CAP/TAB 30MG
** 50007361	PROCHLORPERAZINE MALEATE TR CAP/TAB 75MG
** 00080251	PROKETAZINE TABLET 12.5MG
** 00080252	PROKETAZINE TABLET 25.0MG
** 00080253	PROKETAZINE TABLET 50.0MG
** 50007371	PROMAZINE HCL CONC 30MG/ML 120ML
** 50007373	PROMAZINE HCL INJ 25MG/ML - 10ML VIAL
** 50007374	PROMAZINE HCL INJ 25MG/ML SYRINGE
** 50007375	PROMAZINE HCL INJ 50MG/ML - 2ML VIAL
** 50007376	PROMAZINE HCL INJ 50MG/ML - 10ML VIAL
** 50007377	PROMAZINE HCL INJ 50MG/ML SYRINGE
** 50007378	PROMAZINE HCL INJ 100MG/2ML SYRINGE
** 50007379	PROMAZINE HCL SYRUP 10MG/5ML 120ML
** 50007380	PROMAZINE HCL TAB/CAP 10MG
** 50007381	PROMAZINE HCL TAB/CAP 25MG
** 50007382	PROMAZINE HCL TAB/CAP 50MG
** 50007383	PROMAZINE HCL TAB/CAP 100MG
** 05970025	SERENTIL CONCENTRATE 25MG/CC
** 05970027	SERENTIL INJECTION 25MG/ML 1ML AMP
** 05970020	SERENTIL TABLET 10MG
** 05970021	SERENTIL TABLET 25MG
** 05970022	SERENTIL TABLET 50MG
** 05970023	SERENTIL TABLET 100MG
** 00041010	TARACTAN CONCENTRATE 100MG/5CC
** 00041926	TARACTAN INJECTION 25MG/2ML AMP
** 00040045	TARACTAN TABLET 10MG
** 00040046	TARACTAN TABLET 25MG
** 00040047	TARACTAN TABLET 50MG
** 00040049	TARACTAN TABLET 100MG
** 50006531	THIORIDAZINE HCL CONCENTRATE 30MG/ML
** 50006533	THIORIDAZINE HCL CONCENTRATE 100MG/ML
** 50006535	THIORIDAZINE HCL SUSPENSION 25MG/5ML
** 50006537	THIORIDAZINE HCL SUSPENSION 100MG/5ML
** 50006541	THIORIDAZINE HCL TABLET 10MG
** 50006543	THIORIDAZINE HCL TABLET 15MG
** 50006545	THIORIDAZINE HCL TABLET 25MG
** 50006547	THIORIDAZINE HCL TABLET 50MG
** 50006549	THIORIDAZINE HCL TABLET 100MG

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## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)

Item Number	Drug Name and Strength
** 50006551	THIORIDAZINE HCL TABLET 150MG
** 50006553	THIORIDAZINE HCL TABLET 200MG
** 50006040	THIOTHIXENE CAPSULE 1MG
** 50006042	THIOTHIXENE CAPSULE 2MG
** 50006044	THIOTHIXENE CAPSULE 5MG
** 50006046	THIOTHIXENE CAPSULE 10MG
** 50006048	THIOTHIXENE CAPSULE 20MG
** 50006035	THIOTHIXENE HCL CONCENTRATE 5MG/ML 30ML
** 50006037	THIOTHIXENE HCL CONCENTRATE 5MG/ML 120ML
** 50006027	THIOTHIXENE HCL INJECTION 2MG/ML 2ML VIAL
** 50006029	THIOTHIXENE HCL INJECTION 5MG/ML 2ML VIAL
** 00850968	TINDAL TABLET 20MG
** 50001262	TRIFLUOPERAZINE HCL CONC 10MG/ML
** 50001264	TRIFLUOPERAZINE HCL INJECTION 2MG/ML
** 50001266	TRIFLUOPERAZINE HCL TABLET 1MG
** 50001268	TRIFLUOPERAZINE HCL TABLET 2MG
** 50001270	TRIFLUOPERAZINE HCL TABLET 5MG
** 50001272	TRIFLUOPERAZINE HCL TABLET 10MG
** 00031987	VESPRIN INJECTION 10MG/ML 1ML SYRINGE
** 00030987	VESPRIN INJECTION 10MG/ML 10ML VIAL
** 00030920	VESPRIN INJECTION 20MG/ML 1ML AMP
** 00030935	VESPRIN SUSPENSION 50MG/5CC 120CC
** 00030921	VESPRIN TABLET 10MG
** 00030922	VESPRIN TABLET 25MG
** 00030923	VESPRIN TABLET 50MG

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.4040 RESPIRATORY ALLERGIC: ANTI-ASTHMATIC

Item Number	Drug Name and Strength
** 03693007	AEROBID AEROSOL 7GM CANISTER 250MCG/ACTUATION 100 DOSES/INHALER
** 50000614	ALBUTEROL SULFATE INHALER 17GM
** 50000616	ALBUTEROL SULFATE INHALER 17GM - REFILL
** 50001981	ALBUTEROL SULFATE SOLUTION FOR INHALATION 0.5%
** 40001095	ALBUTEROL SULFATE SYRUP 2MG/5ML
** 50002323	ALBUTEROL SULFATE TABLET SR 4MG
** 50002320	ALBUTEROL SULFATE TABLET 2MG
** 50002322	ALBUTEROL SULFATE TABLET 4MG
** 50000023	AMINOPHYLLINE IV INJECTION 500MG/20ML AMP
** 500002414	AMINOPHYLLINE ORAL SOLUTION 315MG/15ML



## DEPARTMENT OF PUBLIC AID

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## SECTION 141.4040 RESPIRATORY ALLERGIC: ANTI-ASTHMATIC (Cont'd)

Item Number	Drug Name and Strength
** 50000108	AMINOPHYLLINE TABLET 100MG
** 50000116	AMINOPHYLLINE TABLET 200MG
** 50000117	AMINOPHYLLINE TABLET SR 225MG
** 05970082	ATROVENT INHALATION AEROSOL 14GM
	17MCG/ACTUATION 200 DOSES/UNIT
** 50006490	BECLOMETHASONE DIPROPIONATE AEROSOL INHALER
	42MCG/ ACTUATION 16.8GM UNIT ORAL
** 50005692	BECLOMETHASONE DIPROPIONATE AEROSOL INH
	42MCG/ACTUATION 16.9GM UNIT ORAL REFILL
** 50006488	BECLOMETHASONE DIPROPIONATE NASAL INHALER
	42MCG/ACTUATION 15.8GM UNIT
** 50006486	BECLOMETHASONE DIPROPIONATE NASAL SPRAY
	0.042% 25ML
** 50002519	CROMOLYN SODIUM AEROSOL INHALER 8.1GM
	300MCG/ACTUATION (112 SPRAYS/UNIT)
** 50002521	CROMOLYN SODIUM AEROSOL INHALER 14.2GM
	300MCG/ACTUATION (200 SPRAYS/UNIT)
** 50001003	CROMOLYN SODIUM CAPSULE 20MG
** 50001005	CROMOLYN SODIUM INHALER
** 50001007	CROMOLYN SODIUM NASAL SOLUTION
	40MG/ML 13ML BOTTLE WITH SPRAY
** 50001009	CROMOLYN SODIUM NASAL SOLUTION
	40MG/ML 13ML REFILL BOTTLE
** 50001014	CROMOLYN SODIUM NASAL SOLUTION 40MG/ML
	26ML BOTTLE WITH SPRAY
** 50001004	CROMOLYN SODIUM NEBULIZER SOLUTION 20MG/2ML
	AMP
** 50004150	ISOETHARINE HYDROCHLORIDE SOLUTION 1.0% 10ML
	UNIT
** 50004152	ISOETHARINE HYDROCHLORIDE SOLUTION 1.0% 30ML
	UNIT
** 00890790	MAXAIR AEROSOL INHALER COMPLETE
	0.2MG/DOSE 300 ACTUATIONS/UNIT 25.6GM
** 50004965	METAPROTERENOL SULF INH SOLN 5.0% 10ML
** 50006032	METAPROTERENOL SULF INH SOLN 5% 30ML
** 50004101	METAPROTERENOL SULF INH 225MG/15ML REFILL
** 50004100	METAPROTERENOL SULF INH 225MG/15ML UNIT
** 50002041	METAPROTERENOL SULFATE INHALATION AEROSOL
	650MCG/ACTUATION 200 PUFF COMPLETE UNIT
* 50002043	METAPROTERENOL SULFATE INHALATION AEROSOL
	650MCG/ACTUATION 200 PUFF REFILL UNIT
** 50004095	METAPROTERENOL SULFATE SYRUP 10MG/5ML
** 50004099	METAPROTERENOL SULFATE TABLET 10MG
** 50004102	METAPROTERENOL SULFATE TABLET 20MG

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## SECTION 141.4040 RESPIRATORY ALLERGIC: ANTI-ASTHMATIC (Cont'd)

Item Number	Drug Name and Strength
** 50006480	TERBUTALINE SULFATE AEROSOL INHALER
	0.20MG/ACTUATION 7.5ML UNIT
** 50006482	TERBUTALINE SULFATE AEROSOL INHALER
	0.20MG/ACTUATION 7.5ML REFILL
** 50006476	TERBUTALINE SULFATE INJECTION 1.0MG/ML
** 50006477	TERBUTALINE SULFATE TABLET 2.5MG
** 50006478	TERBUTALINE SULFATE TABLET 5.0MG
** 50007134	THEOPHYLLINE LIQUID 80MG/15ML
** 50007139	THEOPHYLLINE LIQUID 150MG/15ML
** 50007140	THEOPHYLLINE LIQUID 160MG/15ML
** 50007142	THEOPHYLLINE SUSPENSION 100MG/5ML
** 50007155	THEOPHYLLINE TAB/CAP TD 50MG ANHYDROUS
** 50007156	THEOPHYLLINE TAB/CAP TD 60MG ANHYDROUS
** 50007159	THEOPHYLLINE TAB/CAP TD 75MG ANHYDROUS
** 50007160	THEOPHYLLINE TAB/CAP TD 100MG ANHYDROUS
** 50007162	THEOPHYLLINE TAB/CAP TD 125MG ANHYDROUS
** 50007166	THEOPHYLLINE TAB/CAP TD 200MG ANHYDROUS
** 50007168	THEOPHYLLINE TAB/CAP TD 250MG ANHYDROUS
** 50007172	THEOPHYLLINE TAB/CAP TD 300MG ANHYDROUS
** 50007175	THEOPHYLLINE TAB/CAP TD 400MG ANHYDROUS
** 50007177	THEOPHYLLINE TAB/CAP TD 450MG ANHYDROUS
** 50007146	THEOPHYLLINE TAB/CAP 100MG ANHYDROUS
** 50007150	THEOPHYLLINE TAB/CAP 200MG ANHYDROUS
** 50005689	THEOPHYLLINE TAB/CAP 300MG ANHYDROUS
** 00241060	TORNALATE AEROSOL INHALER 0.8% 0.37MG/ ACTUATION 15ML UNIT
** 00241061	TORNALATE AEROSOL INHALER 0.8% 0.37MG/ACTUATION 15ML-REFILL
** 50000440	TRIAMCINOLONE ACETONIDE AEROSOL INHALER 20GM

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## SECTION 141.4200 SKIN/MUCOUS MEMBRANE: ANTIBIOTICS

Item Number	Drug Name and Strength
** 50000006	BACITRACIN OINTMENT 15GM SIZE
** 50000007	BACITRACIN OINTMENT 30GM SIZE
** 50002430	BACITRACIN/NEOMYCIN/POLYMYXIN TOP OINT 15GM
** 50002432	BACITRACIN/NEOMYCIN/POLYMYXIN TOP OINT 30GM
** 50002434	BACITRACIN/POLYMYXIN TOP OINT 15GM
** 50002436	BACITRACIN/POLYMYXIN TOP OINT 30GM
** 50001641	CHLORAMPHENICOL CREAM 1% 30GM



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## SECTION 141.4200 SKIN/MUCOUS MEMBRANE: ANTIBIOTICS (Cont'd)

Item Number	Drug Name and Strength
** 50001642	CHLORTETRACYCLINE HCL OINTMENT 3% 14.2GM
** 50001643	CHLORTETRACYCLINE HCL OINTMENT 3% 30GM
** 50001332	CLINDAMYCIN PHOSPHATE LOTION 1% 60ML
** 50001633	CLINDAMYCIN PHOSPHATE TOPICAL GEL 1% 7.5GM
** 50001635	CLINDAMYCIN PHOSPHATE TOPICAL GEL 1% 30GM
** 50001644	CLINDAMYCIN PHOSPHATE TOPICAL SOLUTION 10MG/ML 30ML
** 50001645	CLINDAMYCIN PHOSPHATE TOPICAL SOLUTION 10MG/ML 60ML
** 50003287	ERYTHROMYCIN GEL 2% 30GM
** 50003289	ERYTHROMYCIN GEL 2% 65GM
** 50003517	ERYTHROMYCIN SWAB 2%
** 50001646	ERYTHROMYCIN TOPICAL SOLUTION 1.5% 60ML
** 50001647	ERYTHROMYCIN TOPICAL SOLUTION 2.0% 60ML
** 50001648	GENTAMICIN SULFATE CREAM 0.1% 15GM
** 50001649	GENTAMICIN SULFATE OINTMENT 0.1% 15GM
** 50001650	MECLOCYCLINE SULFOSALICYLATE CREAM 1% 20GM
** 50001640	MECLOCYCLINE SULFOSALICYLATE CREAM 1% 45GM
** 50006133	MEFENIDAZOLE TOPICAL GEL 0.75% 28.4GM
** 50006421	MUPIROICIN OINTMENT 2% 15GM
** 50003860	NEOMYCIN SULFATE OINTMENT 0.5% 15GM
** 50003861	NEOMYCIN SULFATE OINTMENT 0.5% 30GM
** 50008024	SKIN/MUCOUS MEMBRANE ANTIBIOTIC-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 30690960	TERRAMYCIN TOPICAL PWD C POLYMYXIN 30GM
** 50001652	TETRACYCLINE HCL OINTMENT 3% 14.2GM TUBE
** 37000401	TETRACYCLINE TOPICAL SOLUTION 2.2MG/ML
(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)	
SECTION 141.4240	SKIN/MUCOUS MEMBRANE: ANTI-INFLAMMATORIES
Item Number	Drug Name and Strength
40001012	BETAMETHASONE DIPROPIONATE CREAM 0.05% 15GM
40001017	BETAMETHASONE DIPROPIONATE CREAM 0.05% 45GM
40002057	BETAMETHASONE DIPROPIONATE LOTION 0.05% 20ML
40001083	BETAMETHASONE DIPROPIONATE LOTION 0.05% 60ML
40001021	BETAMETHASONE DIPROPIONATE OINTMENT 0.05% 15GM
40001013	BETAMETHASONE DIPROPIONATE OINTMENT 0.05% 45GM
40001018	BETAMETHASONE VALERATE CREAM 0.1% 15GM
40001022	BETAMETHASONE VALERATE CREAM 0.1% 45GM
40001014	BETAMETHASONE VALERATE LOTION 0.1% 60ML

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## SECTION 141.4240

## SKIN/MUCOUS MEMBRANE: ANTI-INFLAMMATORIES (Cont'd)

Item Number	Drug Name and Strength
40001009	BETAMETHASONE VALERATE OINTMENT 0.1% 15GM
40001005	BETAMETHASONE VALERATE OINTMENT 0.1% 45GM
00210695	CORTIFOAM AEROSOL 20GM
01050048	DERMASMOOTH/PS OIL 120ML
40001007	FLUOCINOLONE ACETONIDE CREAM 0.01% 15GM
40002062	FLUOCINOLONE ACETONIDE CREAM 0.01% 60GM
40001027	FLUOCINOLONE ACETONIDE CREAM 0.025% 15GM
40001030	FLUOCINOLONE ACETONIDE CREAM 0.025% 60GM
40001035	FLUOCINOLONE ACETONIDE OINTMENT 0.025% 15GM
40001006	FLUOCINOLONE ACETONIDE OINTMENT 0.025% 60GM
40001028	FLUOCINOLONE ACETONIDE TOPICAL SOLUTION 0.01% 60ML
50004127	HYDROCORTISONE CREAM 1% 120GM
50004129	HYDROCORTISONE CREAM 1% 480GM
50004133	HYDROCORTISONE CREAM 1% 60GM
40001071	HYDROCORTISONE CREAM 2.5% 20GM
50003135	HYDROCORTISONE ENEMA 100MG/60CC
50004128	HYDROCORTISONE OINTMENT 1% 120GM
50004130	HYDROCORTISONE OINTMENT 1% 480GM
50004136	HYDROCORTISONE OINTMENT 1% 60GM
50004019	HYDROCORTISONE OINTMENT 2.5% 20GM
00321920	PROCTOCORT CREAM C APPLICATOR 30GM
00210690	PROCTOFOAM HC AEROSOL
50005713	TRIAMCINOLONE ACETONIDE CREAM 0.025% 15GM
50005715	TRIAMCINOLONE ACETONIDE CREAM 0.025% 80GM
50005717	TRIAMCINOLONE ACETONIDE CREAM 0.025% 454GM
50005704	TRIAMCINOLONE ACETONIDE CREAM 0.1% 15GM
50005705	TRIAMCINOLONE ACETONIDE CREAM 0.1% 80GM
50005719	TRIAMCINOLONE ACETONIDE CREAM 0.1% 454GM
50005706	TRIAMCINOLONE ACETONIDE CREAM 0.5% 15GM
50005721	TRIAMCINOLONE ACETONIDE OINTMENT 0.025% 15GM
50005723	TRIAMCINOLONE ACETONIDE OINTMENT 0.025% 80GM
50004360	TRIAMCINOLONE ACETONIDE OINTMENT 0.025% 454GM
50005707	TRIAMCINOLONE ACETONIDE OINTMENT 0.1% 15GM
50005708	TRIAMCINOLONE ACETONIDE OINTMENT 0.1% 80GM
50004380	TRIAMCINOLONE ACETONIDE OINTMENT 0.1% 454GM
50004390	TRIAMCINOLONE ACETONIDE OINTMENT 0.5% 15GM
(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)	

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SECTION 141.4360

SKIN/MUCOUS MEMBRANE: DERMAL ULCERS

Item Number	Drug Name and Strength
G** 00030375	ACTIDERM DERMATOLOGICAL PATCH
G** 05580076	ALLEVYN POLYURETHANE FOAM DRESSING 4" X 4"
G** 05581076	ALLEVYN POLYURETHANE FOAM DRESSING 8" X 8"
G** 05140062	ASPTIN SKIN CREAM 85GM
** 50003531	BALSAM PERU; CASTOR OIL; TRYPSIN 72.5MG; 650MG; 0.1MG/0.82ML AEROSOL 60GM
** 50003533	BALSAM PERU; CASTOR OIL; TRYPSIN 72.5MG; 650MG; 0.1MG/0.82ML AEROSOL 120GM
G** 08117401	BARD ABSORPTION DRESSING UNIT DOSE STERILE PACKETS
G** 08117402	BARD ABSORPTION DRESSING 3GM PACKET
G** 08117403	BARD ABSORPTION DRESSING 6GM PACKET
G** 08117400	BARD ABSORPTION DRESSING 60GM
G** 08130024	BIODCLUSIVE DRESSING 2" X 3"
G** 08131021	BIODCLUSIVE DRESSING 4" X 5"
G** 08132024	BIODCLUSIVE DRESSING 4" X 10"
G** 08133024	BIODCLUSIVE DRESSING 5" X 7"
G** 08134024	BIODCLUSIVE DRESSING 8" X 10"
G** 05140502	BIOLEX WOUND CLEANSER 130ML
G** 05141502	BIOLEX WOUND CLEANSER 355ML
G** 05140552	BIOLEX WOUND GEL 85ML
G** 10102060	CARA-KLENZ SPRAY 180ML
G** 10102160	CARA-KLENZ SPRAY 480ML
G** 10101005	CARRINGTON DERMAL WOUND GEL 15ML
G** 10101030	CARRINGTON DERMAL WOUND GEL 90ML
** 50000160	COLLAGENASE OINTMENT 250U/GM 15GM
** 50000161	COLLAGENASE OINTMENT 250U/GM 30GM
** 00160024	DERBRISAN 60GM
** 00161024	DERBRISAN 120GM
** 00162024	DERBRISAN 4GM PACKETS 7'S
** 00163024	DERBRISAN 4GM PACKETS 14'S
** 12815501	DECUBITEX OINTMENT 15GM
** 12816501	DECUBITEX OINTMENT 60GM
** 12814501	DECUBITEX OINTMENT 120GM
** 12814410	DECUBITEX POWDER 10GM
** 12814420	DECUBITEX POWDER 30GM
** 12814430	DECUBITEX POWDER 1GM 30'S
** 12814440	DECUBITEX POWDER 1GM 100'S
G** 02530126	DERMAGRAN OINTMENT 120GM
G** 02531126	DERMAGRAN OINTMENT 480GM
G** 02530127	DERMAGRAN SPRAY 120ML
G** 02531127	DERMAGRAN SPRAY 240ML
G** 02532127	DERMAGRAN SPRAY 3840ML
G** 00032876	DUODERM CGF STERILE DRESSING 4" X 4"

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SECTION 141.4360

SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)

Item Number	Drug Name and Strength
G** 00033876	DUODERM CGF STERILE DRESSING 6" X 6"
G** 00034876	DUODERM CGF STERILE DRESSING 8" X 8"
G** 00031879	DUODERM STERILE HYDROACTIVE PASTE 30GM
G** 00031876	DUODERM STERILE HYDROACTIVE DRESSING 4X4
G** 00031888	DUODERM STERILE HYDROACTIVE DRESSING 6X8
G** 00031986	DUODERM STERILE HYDROACTIVE DRESSING 8X8
G** 00031988	DUODERM STERILE HYDROACTIVE DRESSING 8X12
G** 00031877	DUODERM STERILE HYDROACTIVE GRANULES 4GM
** 00711255	ELASE FOR SOLUTION
** 00712221	ELASE OINTMENT 10GM SIZE
** 00711121	ELASE OINTMENT 30GM SIZE
** 007112124	ELASE/CHLOROMYCETIN OINTMENT 10GM SIZE
** 007111124	ELASE/CHLOROMYCETIN OINTMENT 30GM SIZE
G** 08231619	EPI-LOCK PRIMARY DRESSING 4" X 36"
G** 08231620	EPI-LOCK PRIMARY DRESSING 4" X 4"
G** 08231621	EPI-LOCK PRIMARY DRESSING 4" X 8"
G** 08231622	EPI-LOCK PRIMARY DRESSING 6" X 8"
G** 08231623	EPI-LOCK PRIMARY DRESSING 8" X 12"
G** 08231618	EPI-LOCK PRIMARY DRESSING 22" X 36"
G** 05380073	INTRASITE GEL INTERACTIVE HYDROGEL 25GM
G** 05380074	INTRASITE INTERACTIVE HYDROCOLLOID WOUND DRESSING 4" X 4"
G** 05382074	INTRASITE INTERACTIVE HYDROCOLLOID WOUND DRESSING 8" X 8"
G** 05380045	OPSITE TRANSPARENT WOUND DRESSING 2" X 3" (5CM X 7.5CM)
G** 05380042	OPSITE TRANSPARENT WOUND DRESSING 2" X 4" (5CM X 10CM)
G** 05380649	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 4" (14CM X 10CM) 10/BOX
G** 05381694	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 4" (14CM X 10CM) 50/BOX
G** 05382649	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 20" (14CM X 50-3/4)
G** 05383649	OPSITE TRANSPARENT WOUND DRESSING 8" X 6" (20-1/3CM X 15CM)
G** 05386649	OPSITE TRANSPARENT WOUND DRESSING 10-1/4" X 8" (26CM X 20-1/3CM)
G** 05384649	OPSITE TRANSPARENT WOUND DRESSING 11" X 4" (28CM X 10CM)
G** 05385649	OPSITE TRANSPARENT WOUND DRESSING 11" X 6" (28CM X 15CM)
G** 05387649	OPSITE TRANSPARENT WOUND DRESSING 11" X 11-3/4" (28CM X 30CM)



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SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)

Item Number	Drug Name and Strength
G** 05588649	OPSITE TRANSPARENT WOUND DRESSING 11" X 17-3/4" (28CM X 45CM)
G** 08231251	OPTIPORE SPONGE
G** 08231212	SHUR-CLENS 100ML
G** 08231625	SYNTHADERM DRESSING 4" X 4"
G** 08231626	SYNTHADERM DRESSING 4" X 8"
G** 08231627	SYNTHADERM DRESSING 6" X 8"
G** 08117410	VIGILON WOUND DRESSING 3" X 6" STERILE
G** 08117412	VIGILON WOUND DRESSING 3" X 8" STERILE
G** 08117416	VIGILON WOUND DRESSING 4" X 4" NON-ST
G** 08117411	VIGILON WOUND DRESSING 4" X 4" STERILE
G** 08117413	VIGILON WOUND DRESSING 6" X 8" STERILE
G** 08117414	VIGILON WOUND DRESSING 13" X 24" NON-ST
** 00481500	TRAVASE OINTMENT 14.2GM TUBE

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

SECTION 141.4640 TESTING SUPPLIES

Item Number	Drug Name and Strength
*** 01932381	ACETEST REAGENT TABLETS 100'S
*** 01932383	ACETEST REAGENT TABLETS 250'S
*** 01932370	ALBUSTIX STRIPS 100'S
*** 01932232	BUMINTEST TABLETS 100'S
*** 09245028	CHEMSTRIP 5 100'S
*** 09245010	CHEMSTRIP BG STRIPS 25'S
*** 09245012	CHEMSTRIP BG STRIPS 50'S
*** 09245030	CHEMSTRIP GP 100'S
*** 09245035	CHEMSTRIP K PAPERS 100'S
*** 09245040	CHEMSTRIP TEST KIT
*** 09245045	CHEMSTRIP UG STRIPS 100'S
*** 01932844	CHEMSTRIP UGK STRIPS 100'S
*** 01932105	CLINITESTRIP 50'S
*** 01932114	CLINITESTRIP ANALYSIS SET
*** 09132112	CLINITESTRIP ANALYSIS SET (2 DROP)
*** 09132112	CLINITESTRIP (2 DROP) 36'S
*** 09132113	CLINITESTRIP (2 DROP) 100'S
*** 01932121	CLINITESTRIP TABLET 36'S
*** 01932100	CLINITESTRIP TABLETS 100'S
*** 01933100	CLINITESTRIP TABLET FOIL 100'S
*** 01932867	COMBSTIX 100'S
*** 01932888	DEXTROSTIX REAGENT STRIPS 25'S

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SECTION 141.4640 TESTING SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
*** 01932886	DEXTROSTIX REAGENT STRIPS 100'S
*** 01932884	DEXTROSTIX REAGENT STRIPS FOIL 10'S
*** 01933802	DIASTIX STRIPS 50'S
*** 01932802	DIASTIX STRIPS 100'S
*** 01931000	DIASTIX-5 STRIPS 100'S
*** 03383597	EXACTECH TEST STRIPS 50'S
50000513	FLUORESCCEIN SODIUM OPHT SOLN 2.0% 15CC
*** 05380031	GLUCOSCAN TEST STRIPS 50'S
*** 05380073	GLUCOSCAN TEST STRIPS 100'S
*** 01932627	GLUCOSTIX STRIPS 50'S
*** 01932628	GLUCOSTIX STRIPS 100'S
*** 01932876	HEMA-COMBISTIX 100'S
*** 01932816	HEMASTIX STRIPS 50'S
*** 01932426	HEMATTEST TABLET 100'S
50003457	HISTAMINE PHOSPHATE INJECTION 0.275MG/ML
50003458	HISTAMINE PHOSPHATE INJECTION 2.75MG/1ML
50003459	HISTAMINE PHOSPHATE INJECTION 2.75MG/5ML
*** 01933882	KETO-DIASTIX 50'S
*** 01932882	KETO-DIASTIX 100'S
*** 01931010	KETO-DIASTIX 5 100'S
*** 01933880	KETOSTIX STRIPS 50'S
*** 01932810	KETOSTIX STRIPS 100'S
*** 50008000	LABSTIX 100'S
*** 01932854	LANCET FOR DIABETIC USE, STERILE
*** 01932854	N-URISTIX 100'S
*** 05380232	ONE TOUCH TEST STRIPS 50'S
*** 00022344	TES-TAPE 100 TEST PACKAGE
*** 09240535	TRACER BG STRIPS 50'S
*** 01932855	URISTIX 100'S
*** 01931050	VISIDEX II REAGENT STRIPS 25'S
*** 01931080	VISIDEX II REAGENT STRIPS 100'S

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

SECTION 141.4760 VAGINAL: ANTI-INFECTIVES

Item Number	Drug Name and Strength
*** 50002497	BUTOCONAZOLE NITRATE VAGINAL CREAM 2.0% 15GM
*** 50002483	BUTOCONAZOLE NITRATE VAGINAL CREAM 2.0% 28GM
*** 50000148	CLOTRIMAZOLE VAGINAL CREAM 1.0% 45GM
*** 50000149	CLOTRIMAZOLE VAGINAL CREAM 1.0% 90GM
*** 50000150	CLOTRIMAZOLE VAGINAL TABLET 100MG



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## SECTION 141.4760

## VAGINAL: ANTI-INFECTIVES (Cont'd)

Item Number	Drug Name and Strength
** 50002485	CLOTRIMAZOLE VAGINAL TABLET 500MG
** 00730916	GENAPAX TAMPOON 12'S
** 00271082	HYVA GENTIAN VIOLET VAGINAL TAB 14'S
** 00270082	HYVA GENTIAN VIOLET VAGINAL TAB 28'S
** 00625431	MONISTAT 7 CREAM WITH APPLICATOR 45GM
** 00625432	MONISTAT 7 VAGINAL SUPPOSITORY
** 00625429	MONISTAT DUAL PACK
** 00263098	MYCELEX TWIN PACK
** 50003992	NYSTATIN VAGINAL TABLET 100,000U 15'S
** 50003994	NYSTATIN VAGINAL TABLET 100,000U 30'S
** 50003996	NYSTATIN VAGINAL/ORAL TABLETS 14/21
** 50003219	OXYTETRACYCLINE HCL 100MG; POLYMYXIN B SULFATE 100,000U VAGINAL TABLET
** 50001632	SULFACETAMIDE 143.75MG; SULFABENZAMIDE 184MG; SULFATHIAZOLE 172.5MG VAG TAB
** 50001631	SULFACETAMIDE 2.86g; SULFABENZAMIDE 3.7g SULFATHIAZOLE 3.42g VAGINAL CREAM
** 50002481	SULFANILAMIDE VAGINAL CREAM 15g 120GM
** 50002471	SULFANILAMIDE VAGINAL SUPPOSITORY 1.05GM
** 50002641	TERCONAZOLE VAGINAL CREAM 0.4% 45GM
** 50002643	TERCONAZOLE VAGINAL SUPPOSITORY 80MG
** 50006501	TIOCONAZOLE VAGINAL OINTMENT 5.5g 4.6GM SINGLE DOSE APPLICATOR
** 03966010	TRIMO-SAN REFILL TUBE ONLY 120GM
** 03965010	TRIMO-SAN WITH APPLICATOR 120GM
** 60008023	VAGINAL ANTI-INFECTIVES-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 00680427	VANOBIID VAGINAL OINTMENT C APP
** 00680425	VANOBIID VAGINAL TABLET C APP 28'S

(Source: Amended at 14 Ill. Reg. 3595, effective February 27, 1990)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: GENERAL ASSISTANCE
- 2) Code Citation: 89 Ill. Adm. Code 114
- 3) Section Number: Adopted Action:  
114.130 Amendment
- 4) Statutory Authority: Sections 9-6 and 12-13 of the Illinois Public Aid Code (Ill. Reg. Stat. 1987, Ch. 23, pars. 9-6 and 12-13)
- 5) Effective Date of Adopted Amendment: February 23, 1990
- 6) Does this rulemaking contain an automatic repeal date?  
Yes X No
- 7) Does this Adopted Amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 23, 1990
- 9) Notice of Proposal Published in Illinois Register: October 27, 1989 (13 Ill. Reg. 16691)
- 10) Has JCER issued a Statement of Objections to this Adopted Amendment? No
- 11) Difference(s) between proposal and final version: No changes were made to the text of this amendment.
- 12) Have all the changes agreed upon by the agency and JCER been made as indicated in the agreement letter issued by JCER? Yes
- 13) Will this Adopted Amendment replace an Emergency Amendment currently in effect? No
- 14) Are there any Amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
114.9	Amendment	February 23, 1990 (14 Ill. Reg. _____)
114.270	Amendment	December 8, 1989 (13 Ill. Reg. 19146)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

15) Summary and Purpose of Adopted Amendment: This rulemaking provides that for the Project Chance program initial employment expenses will not be authorized to pay relocation expenses so an individual can accept employment elsewhere. Also not permitted as an initial employment expense are expenses required for the self-employment of the individual except when expenses will assist the individual in becoming an Illinois Department of Children and Family Services licensed child care provider.

16) Information and questions regarding this Adopted Amendment shall be directed to:

Name: Anita Williams, Staff Attorney  
Office of the General Counsel

Address: Illinois Department of Public Aid  
Jesse B. Harris Building II  
100 South Grand Avenue East, 3rd Floor  
Springfield, Illinois 62762

Telephone: (217) 782-1233

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 114  
GENERAL ASSISTANCE

## SUBPART A: GENERAL PROVISIONS

Section	
114.1	Description of the Assistance Program
114.5	Incorporation By Reference

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
114.9	Client Cooperation
114.10	Citizenship
114.20	Residence
114.30	Age
114.40	Relationship
114.50	Living Arrangement
114.52	Social Security Numbers
114.60	Work Registration Requirements
114.61	Individuals Exempt From Work Registration Requirements
114.62	Job Service Registration
114.63	Failure to Maintain Current Job Service Registration
114.64	Responsibility to Seek Employment
114.70	Initial Employment Expenses
114.80	Work and Training Programs
114.90	Project Chance Participation/Cooperation Requirements (Renumbered)
114.100	General Assistance Jobs Program (Repealed)

## SUBPART C: PROJECT ADVANCE

Section	
114.108	Project Advance
114.109	Project Advance Participation Requirements of Adjudicated Fathers
114.110	Project Advance Cooperation Requirements of Adjudicated Fathers
114.111	Project Advance Sanctions
114.113	Project Advance Good Cause for Failure to Comply
114.115	Individuals Exempt From Project Advance
114.117	Project Advance Supportive Services

## ILLINOIS REGISTER

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

## SUBPART D: PROJECT CHANCE

Section  
114.120 Employment, Training, Rehabilitation, and Advocacy for General Assistance Programs Administered by the Illinois Department of Public Aid

114.121 Persons Required to Participate in Employment and Training

114.122 Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act

114.123 Persons in Need of Work Rehabilitative Services (WRS) to Become Employable

114.124 Employment and Training Participation/Cooperation Requirements

114.125 Employment and Training Program Orientation

114.126 Employment and Training Program Full Assessment Process/Development of an Employment Plan

114.127 Employment and Training Program Components

114.128 Employment and Training Sanctions

114.129 Good Cause For Failure to Cooperate With Work and Training Participation Requirements

114.130 Employment and Training Supportive Services

114.140 Employment Child Care

## SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section  
114.200 Unearned Income

114.201 Budgeting Unearned Income

114.202 Income On Date of Application And/Or Date of Decision

114.203 Initial Receipt of Unearned Income

114.204 Termination of Unearned Income

114.210 Exempt Unearned Income

114.220 Education Benefits

114.221 Unearned Income In-Kind

114.222 Earnmarked Income

114.223 Lump Sum Payments

114.224 Protected Income

114.225 Earned Income

114.226 Budgeting Earned Income

114.227 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision

114.228 Initial Employment

114.229 Termination of Employment

114.230 Exempt Earned Income

114.235 Recognized Employment Expenses

## ILLINOIS REGISTER

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

Section  
114.240 Income From Work/Study/Training Program (Repealed)

114.241 Earned Income From Self-Employment

114.242 Earned Income From Roomer and Boarder

114.243 Earned Income From Rental Property

114.244 Earned Income In-Kind

114.245 Payments from the Illinois Department of Children and Family Services

114.246 Budgeting Earned Income For Contractual Employees

114.247 Budgeting Earned Income For Non-contractual School Employees

114.250 Assets

114.251 Exempt Assets

114.252 Asset Disregards

114.260 Deferral of Consideration of Assets (Repealed)

114.270 Property Transfers

114.280 Supplemental Payments

## SUBPART F: PAYMENT AMOUNTS

Section  
114.350 Payment Levels for General Assistance

114.351 Payment Levels in Group I Counties

114.352 Payment Levels in Group II Counties

114.353 Payment Levels in Group III Counties

## SUBPART G: OTHER PROVISIONS

Section  
114.400 Persons Who May Be Included In the Assistance Unit

114.401 Eligibility of Strikers

114.402 Special Needs Authorizations

114.403 Institutional Status

114.404 Retrospective Budgeting

114.405 Budgeting Schedule

114.420 Redetermination of Eligibility

114.430 Six Month Extension of Medical Assistance Due to Increased Income From Employment

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 6-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1973; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1973; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; \_

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENT

peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 3142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12313, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 10 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987, for a maximum of 150

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20839, effective December 14, 1987; amended at 12 Ill. Reg. 389, effective January 1, 1988; SUBPARTS C, D and E reclassified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 reclassified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, Reg. 16169, effective October 2, 1989 for a maximum of 150 days; amended at 13 Ill. Reg. 16015, effective October 6, 1989; amended at 14 Ill. Reg. 746, effective January 1, 1990; amended at 14 Ill. Reg. 3640, effective February 23, 1990.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART D: PROJECT CHANCE

Section 114.130 Employment and Training Supportive Services

- a) General Assistance mandatory registrants involved in Project Chance are eligible to receive supportive service payments, in advance except at Orientation, to enable them to participate in the program.
- b) During the full assessment, the supportive services needed by the mandatory registrant which must be discussed and provided or arranged as needed include at least the following:
  - 1) transportation;

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 114.130 Employment and Training Supportive Services (Cont'd)

- 2) employment-related medical services (e.g., TB test);
  - 3) vocational rehabilitation;
  - 4) initial employment expenses;
  - 5) required books, fees, supplies;
  - 6) pre-employment and pre-training physicals; and
  - 7) emergency intervention services if eligible for the Crisis Assistance program (89 Ill. Adm. Code 116).
- c) Regarding emergency intervention services, Project Chance staff will refer the mandatory registrant to the appropriate Local Office for application under the Crisis Assistance Program (see 89 Ill. Adm. Code 116).
- d) At assessment of a mandatory registrant's component participation, the need for supportive services will be discussed.
- e) Project Chance participation will not be required if supportive services are needed for effective participation but unavailable from the Department or some other reasonably available source.
- f) Eligible Services
- 1) Transportation
    - A) If required and necessary (e.g., a client who does not have an automobile), expenses for transportation will be provided to enable registrants to attend Orientation meetings.
    - B) Transportation expenses are to be paid to permit participation in the Work Experience, Job Club, pre-Employment and Special Projects components.
    - C) Transportation payments are made at the most



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## NOTICE OF ADOPTED AMENDMENTS

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## Section 114.130

Employment and Training Supportive Services  
(Cont'd)

## Section 114.130

Employment and Training Supportive Services  
(Cont'd)

reasonable and economical rate, whichever is less. If the mandatory registrant's own automobile is used, the established rate per mile (i.e., 21¢ per mile) will be approved, which includes all vehicle-related expenses.

D) Transportation expenses are to be paid to go to and from work until receipt of first full paycheck.

## 2) Job Search Expenses

A) Registrants participating in Job Search and Job Club will receive an amount not to exceed \$20.00 a month to assist in the payment of job search related expenses.

B) An allowance of \$5.00 a month will be paid to registrants participating in Work Experience to assist in the payment of job search related expenses.

## 3) Mandatory Fees

Mandatory fees, including application, registration, activities, laboratory, graduation and testing fees including the fee, for the GED test, are provided to mandatory registrants enrolled in approved education or training programs (see Section 114.127). A maximum payment of \$300.00 per twelve (12) month period can be provided. No payments are allowed for tuition.

## 4) Books and Supplies

Payment is allowed for books, supplies and equipment purchased in accordance with the facility's published list of required items for the particular program in which a mandatory registrant is enrolled. A maximum payment of \$300.00 per twelve (12) month period can be provided.

## 5) Pre-Training and Pre-Employment Physical Examinations

Payment is permitted for mandatory registrants to obtain pre-training or pre-employment physical examinations if the costs are not otherwise provided by sources such as the employer or the training program.

## 6) Initial Employment Expense

A) Payment may be provided for employment expenses incurred and requested prior to receipt of the first paycheck.

B) These expenses include:

- i) special clothing (maximum \$200);
- ii) required tools which are not provided by the employer (maximum \$200);
- iii) repairs on an automobile (maximum \$300);
- iv) auto license plate fees;
- v) auto insurance at the cheapest rate;
- vi) transportation expenses at the most reasonable and economical rate, whichever is less. If the mandatory registrant's own car is used, a gas allowance of \$4.15 daily or a rate of 21¢ a mile, whichever is less, shall be authorized;
- vii) child care;
- viii) physical examination prior to employment if not provided by the employer; and
- ix) other required items related to a specific job (maximum \$300)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section 114.130

Employment and Training Supportive Services  
(Cont'd)

- x) item(s) or service(s) purchased that will assist the individual in meeting Illinois Department of Children and Family Services' child care licensing requirements (maximum \$300.00).  
Item(s) and service(s) may include but are not limited to the purchase of fire extinguishers, smoke alarms, first aid kits and installation of a telephone.

C) Initial employment expenses will not be authorized to purchase fire arms, or to pay bail-bonds-or-traffic-tickets pay local bonds or traffic tickets, or pay relocation expenses so an individual can accept employment elsewhere.

D) Also not permitted as an initial employment expense are expenses required for the self-employment of the individual except when expenses will assist the individual in becoming an Illinois Department of Children and Family Services licensed child care provider.

g) These allowances are exempt from consideration in determining the General Assistance grant amount.

(Source: Amended at 14 Ill. Reg. 3640, effective February 23, 1990)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Non-Homemaker Service Provider Requirements
- 2) Code Citation: 89 Ill. Adm. Code 714
- 3) Section Numbers: Adopted Action:  
       714.110 amendment  
       714.130 new section  
       714.310 amendment  
       714.320 new section
- 4) Statutory Authority: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, par. 3434(g))
- 5) Effective Date of Amendments: February 21, 1990
- 6) Does this rulemaking contain an automatic repeal date?  
       Yes X No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 9, 1990
- 9) Notice of Proposal Published in Illinois Register:  
       August 11, 1989, 13 Ill. Reg. 12947  
       (issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:
- A) Statement of Objection: (issue date), Ill. Reg. (issue date)
- B) Agency Response: (issue date), Ill. Reg. (issue date)
- C) Date Agency Response Submitted for Approval to JCAR:
- 11) Difference(s) between proposal and final version: Pursuant to agreements with the Administrative Code Division, the following changes have been made:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

A blank line was left between "NOTICE OF PROPOSED AMENDMENTS" and "TITLE 89: SOCIAL SERVICES" in the action heading above the table of contents.

A semi-colon was added after "May 26, 1989" in the main source note.

In Section 714.110(b)(1), line 11, the words, "of 1987" were added at the end of the Act referenced. Also "par. 4401" was changed to "par. 4400-1" in the statutory citation of this Act. In line 12, "of 1987" was added at the end of the Act referenced, and "par. 3401" was changed to "par. 3501" in the statutory citation.

The first letter of the word "subpart" was capitalized in Section 714.130, line 4.

In Section 714.320(a), line 3 "subsection" was changed to "Section".

Changes have been made in the table of contents, due to the recent adoption of a previous amendment on part 714. The changes are:

"Emergency" was replaced by "Electronic Home" Response Service in 714.20 and 714.30.

"714.40 Compliance Requirements" was added to the table of contents.

"Provider" replaces "Vendor" in the title of Subpart A.

Subchapter "b" was replaced by "d" at the top of the page.

Section 714.300 has been deleted from both the table of contents and the text, due to an apparent error in the original adoption of Part 714, in which Section 714.300 was not filed for adoption with the Administrative Code Division.

Pursuant to agreements with the Joint Committee on Administrative Rules, DORS has agreed to make the following changes:

1. To change the reference from "Standard Requirement for Adult Day Care Providers as set forth in 89 Ill. Adm. Code 240.925" to state in Section 714.110(a): "the Department on Aging's Standard Requirements for Adult Day Care Vendors as set forth in 89 Ill. Adm. Code 240.1550."

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

2. To amend Section 714.110(b)(3) to state its policy as: "have established procedures for reporting loss or injury, agency contact, forms, and follow-up."

3. To change the reference from "this Subpart" in Section 714.130 to "Subpart B".

4. To modify in Section 714.320(b) to state:

- b) The PA's compliance with service requirements shall be evaluated by the client, based upon:

- 1) accuracy of work (e.g., ranging from making many errors to making few),
- 2) cleanliness of working area (e.g., ranging from very untidy to exceptionally clean),
- 3) use of working time (e.g., ranging from very wasteful to very effective),
- 4) responsibility (e.g., ranging from irresponsible to responsible),
- 5) attendance (e.g., ranging from frequently absent or late to always prompt), and
- 6) attitude toward employer (HSP client) (ranging from disrespectful to respectful).

- 5) To include the title "Subpart B: Day Care Service Provider Requirements" above Section 714.110 in the text of its proposed amendments for publication in the Illinois Register.

- 6) To amend the second sentence in Section 714.320 to state: "Monitoring shall be completed by the Home Service Program (HSP) counselor at the time of the client's annual reassessment (89 Ill. Adm. Code 698), based upon the information provided by the client."

- 7) To change all references from "13" to "14 Ill. Reg."

- 8) To state (Ill. Rev. Stat. 1988 Supp., ch. 23, par. 3434(g)) in the Authority note.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: No
- Section Numbers Proposed Action Illinois Register Citation
- 15) Summary and Purpose of Rule(s): Section 714.110 has been amended to require adult day care providers to have procedures for reporting loss or injury. Section 714.130 states DORS' policy regarding an annual review of each adult day care provider. Several wording changes were made in Section 714.310. Section 714.320 promulgates DORS' policy regarding the monitoring of Personal Assistants.
- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed  
Regulations and Procedures Division  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429  
Telephone number: (217) 785-3896  
T.D.D.: (217) 782-5734

The full text of Adopted Rule(s) begins on the next page:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER d: HOME SERVICES PROGRAM

## PART 714

## NON-HOMEMAKER SERVICE PROVIDER REQUIREMENTS

SUBPART A: ELECTRONIC HOME RESPONSE SERVICES  
PROVIDER REQUIREMENTS

Section 714.10	Minimum Performance Standards
714.20	Electronic Home Response Center (EHRC) Equipment Specifications (Central Station Receiving Equipment)
714.30	Electronic Home Response Service (EHRS) Home Unit Specifications
714.40	Compliance Requirements

## SUBPART B: DAY CARE SERVICE PROVIDER REQUIREMENTS

Section 714.100	Staffing of Adult Day Care Service Component
714.110	Standard Requirements for Adult Day Care Providers
714.120	Adult Day Care Staff Positions, Qualifications and Responsibilities
714.130	Annual Compliance Review

## SUBPART C: PERSONAL CARE PROVIDER ASSISTANT REQUIREMENTS

Section 714.310	Personal Care Attendant (PCA) Agreement
714.320	Annual Compliance Monitoring

AUTHORITY: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1988 Supp., ch. 23, par. 3434(g))

SOURCE: Adopted at 11 Ill. Reg. 7413, effective April 7, 1987; amended at 13 Ill. Reg. 8911, effective May 26, 1989; amended at 13 Ill. Reg. 15091, effective September 8, 1989; amended at 14 Ill. Reg. 3652, effective February 21, 1990.

## SUBPART B: DAY CARE SERVICE PROVIDER REQUIREMENTS

Section 714.110	Standard Requirements for Adult Day Care Providers
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## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- a) DORS incorporates by reference the DoA's Standard Requirements for Adult Day Care Providers Vendors as set forth in BeA's rule 89 Ill. Adm. Code 240.925 1550.
- b) In addition, adult day care providers must:
- 1) ensure that prescribed medication is administered to these adult day care clients who are determined by medical professionals licensed under the Medical Practice Act (111 Rev. Stat. 1985, 1987, 1989, 1991, par. 4401 et seq.) or the Illinois Nursing Act (111 Rev. Stat. 1985, 1987, 1989, 1991, par. 3401 et seq.) to be unable to self-administer medications. Judgment of a client's inability to self-administer medications will be documented by a physician or nurse licensed under the Medical Practice Act of 1987 (111 Rev. Stat. 1987, ch. 111, par. 4400-1 et seq.) or the Illinois Nursing Act of 1987 (111 Rev. Stat. 1987, ch. 111, par. 3501 et seq.) orders and/or the DORS Home Services care plan (89 Ill. Adm. Code 700), and
  - 2) comply with the standards set forth in the Illinois Capital Development Board's "Accessibility Code Standards Illustrated" (71 Ill. Adm. Code 400), and
  - 3) have established procedures for reporting loss or injury, agency contact, forms, and follow-up.

(Source: Amended at 14 Ill. Reg. 3652, effective February 21, 1990)

## Section 714.130 Annual Compliance Review

DORS shall complete an annual review of each Adult Day Care provider who has provided services to DORS clients during the preceding year, to ensure the provider's compliance with requirements contained within Subpart B.

(Source: Added at 14 Ill. Reg. 3652, effective February 21, 1990)

## SUBPART C: PERSONAL CARE PROVIDER ASSISTANT REQUIREMENTS

Section 714.310 Personal Care Attendant Assistant (PCA) Agreement

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

The following DORS requirements pertain to the delivery of PCA services by PCAs. The PCA shall:

- a) provide services in accordance with the Home Service Program (HSP) client's service plan, as developed per 89 Ill. Adm. Code 700.100 (Service Plan Development).
- b) keep a record of hours worked and wages earned per client for each month and submit a statement signed by the PCA and each client verifying the amount of hours worked and wages earned. Clients having more than one PCA shall submit a separate statement for each PCA. DORS shall not pay for more hours than authorized unless the client has received prior approval from DORS (e.g., episodes of acute illness requiring more care and the temporary absence of informal caregivers such as friends or family members requiring a temporary increase in purchased care).
- c) keep records of hours worked and wages earned in accordance with subsection (b) and to make available these records in subsection (b) available to DORS or to others designated by DORS when DORS gives permission (e.g., Health Care Financing Administration or Illinois Department of Public Aid).
- d) maintain all client information as confidential by not disclosing any information about clients, orally or in writing, to anyone other than those designated in writing by DORS staff.
- e) not subcontract the services to another individual.
- f) provide services only while the client resides in the home. If the client moves from his/her home for any reason or is hospitalized or institutionalized, services shall not be provided.
- g) agree to the following: As the PCA's employer, the client is responsible for locating, hiring, if necessary, training, disciplining and firing, if necessary, the PCA. In addition, the client is responsible for obtaining completion of the "Employment Eligibility Verification" (9 Form) from each PCA. No benefits are not available through the State of Illinois, including but not limited to worker's compensation, insurance, vacation or holiday pay, and sick leave. Arrangements for schedules or time off

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shall be made by the client and the PEA, but shall be reported to DORS per the Home Services Authorization of Services (IL 488-1844) for the sole purpose of processing payment. No money shall will be withheld from the PEA's wages by DORS for federal or state income taxes, or for any other purpose, except in accordance with any administrative or judicial orders (e.g., court ordered child support or garnishment of wages). However, Social security payment tax (FICA) shall be withheld by DORS on payments made on behalf of the client.

d) After completion of the monitoring, the HSP counselor will mediate any unresolved issue with the client and the PA.

(Source: Added at 14 Ill. Reg. 3652, effective February 21, 1990)

(Source: Amended at 14 Ill. Reg. 3652, effective February 21, 1990)

## Section 714.320 Annual Compliance Monitoring

a) Personal Assistants (PAs) will be monitored on an annual basis to ensure compliance with requirements contained within this Section. Monitoring shall be completed by the Home Services Program (HSP) counselor at the time of the client's annual reassessment (89 Ill. Adm. Code 698), based upon information provided by the client.

b) The PA's compliance with service requirements shall be evaluated by the client, based upon:

- 1) accuracy of work (e.g., ranging from making many errors to making few),
- 2) cleanliness of working area (e.g., ranging from very untidy to exceptionally clean),
- 3) use of working time (e.g., ranging from very wasteful to very effective),
- 4) responsibility, (e.g., ranging from irresponsible to responsible),
- 5) attendance (e.g., ranging from frequently absent or late to always prompt), and
- 6) attitude toward employer (HSP client) (e.g., ranging from disrespectful to respectful).

c) Monitoring shall also include the client's assessment of the PA's compliance with requirements contained within Section 714.310.

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- 1) Heading of the Part: Special Education Personnel
- 2) Code Citation: 89 Ill. Adm. Code 810
- 3) Section Numbers: Adopted Action:  
810.10 amendment
- 4) Statutory Authority: Implementing Sections 3 and 10 authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities," (Ill. Rev. Stat. 1988., ch. 23, pars 3434 and 3441).
- 5) Effective Date of Amendments: February 27, 1990
- 6) Does this rulemaking contain an automatic repeal date?  
Yes X No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 22, 1990
- 9) Notice of Proposal Published in Illinois Register:  
September 1, 1989, 13 Ill. Reg. 13739  
(issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:
- A) Statement of Objection: (issue date), Ill. Reg. \_\_\_\_\_
- B) Agency Response: (issue date), Ill. Reg. \_\_\_\_\_
- C) Date Agency Response Submitted for Approval to JCAR:
- 11) Difference(s) between proposal and final version: Pursuant to comments from the Administrative Code Division, the following change has been made: In the main source note, immediately following "codified at 6 Ill. Reg. 13378," the comma was changed to a semicolon and "effective October 18, 1982" was deleted.

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- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
No changes were necessary.
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: No
- Section Numbers Proposed Action Illinois Register Citation
- 15) Summary and Purpose of Rule(s): Section 810.10 has been amended to delete reference to a subsection which no longer exists.
- 16) Information and answers to questions regarding this adopted rule shall be directed to:
- Ms. Leigh Reed  
Regulations and Procedures Division  
Department of Rehabilitation Services  
P.O. Box 19429  
Springfield, Illinois 62794-9429  
Telephone number: (217) 785-3896  
T.D.D.: (217) 782-5734

The full text of Adopted Rule(s) begins on the next page:



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TITLE 89: SOCIAL SERVICES  
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
 SUBCHAPTER f: EDUCATIONAL FACILITIES

PART 810  
 SPECIAL EDUCATION PERSONNEL

## Section

810.10 Employment of Professional and Noncertified Personnel  
 810.20 Qualifications of Professional Instructional Personnel  
 810.30 Qualifications of Other Professional Personnel  
 810.40 Valid Certificate  
 810.50 Certificates of Supervisory Personnel  
 810.60 Chief Educational Administrator's Certificate  
 810.70 Exemption from Requirements  
 810.80 Supervision of Noncertified Personnel  
 810.90 Personnel Development Program

AUTHORITY: Implementing Sections 3 and 10 and authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities," (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434 and 3441).

SOURCE: Adopted at 6 Ill. Reg. 1235, effective January 18, 1982; codified at 6 Ill. Reg. 13378; amended at 14 Ill. Reg. 3661, effective February 27, 1990.

Section 810.10 Employment of Professional and Noncertified Personnel

Professional and noncertified personnel shall be employed in sufficient numbers, with appropriate qualifications, to deliver to each student resident in the State School the necessary special education program necessary, except for these students defined in 89 Ill. Adm. Code 755-230(i) of the admission and discharge procedures.

(Source: Amended at 14 Ill. Reg. 3661, effective Feb. 27, 1990.)

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## NOTICE OF ADOPTED AMENDMENT(S)

1) Heading of Part: Cancellation, Revocation, or Suspension of Licenses or Permits

2) Code Citation: 92 Ill. Adm. Code 1040

3) Section Numbers      Adopted Action  
 1040.55      New Section

4) Statutory Authority: Sections 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 2-104(b)) and Section 6-206 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-206).

5) Effective Date of Amendments: February 27, 1990

6) Does this rulemaking contain an automatic repeal date? Yes ☒ No.

7) Does this amendment contain incorporations by reference? No.

8) Date Filed in Agency's Principal Office: February 27, 1990

9) Notice of Proposal Published in Illinois Register: 13 Ill. Reg. 15351 (September 29, 1989).

10) Has JCAR Issued a Statement of Objections to this Rule? No.

11) Differences between proposal and final version.

Pursuant to suggestions from the Administrative Code Division, Office of the Secretary of State, the following changes were made:

The headings for 1040.55 in the table of contents and the text were changed to read the same.

In subsection a) in the definition of "Auto Emissions Suspension", "in accordance with Section 13A-101 et seq. of the Illinois Vehicle Emission Inspection Law of the Illinois Vehicle Code" was changed to "in accordance with the Vehicle Emissions Inspection Law of the Illinois Vehicle Code".

In the definition of "Curfew Violation Suspension", in lines 5 and 7, the "13" was enclosed in parentheses.

In the definition of "Financial Responsibility Suspension" and "Safety Responsibility Suspension", "or" was substituted for "and/or".

In the definition of "Unsatisfied Judgment Suspension", "or" was substituted for "and".

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In subsection c), in line 2, the first letter of the word "section" was capitalized.

Pursuant to an agreement with JCAR, the following further changes were made:

In subsection (1), the text "guidelines of this Section" was deleted and "the guidelines of subsections (g)-(j)" was added.

In line 3 of Section 1040.55(b), the spelling of "suspended" was corrected.

In subsection (1), "6-206(a)20" and "6-206(a)6" was changed to "6-206(a)(20)" and "6-206(a)(6)".

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the Agreement Letter issued by JCAR? Yes.

13) Will this rule replace any Emergency Rule(s) currently in effect? No.

14) Are there any other amendments pending on this Part? Yes.

Section Numbers	Proposed Action	Illinois Register Citation
1040.80	New Section	13 Ill. Reg. 14014 (September 8, 1989)

15) Summary and Purpose of Rule: This rulemaking establishes the criteria for suspending or revoking a person's driving privileges who operates a motor vehicle in violation of his/her license classification.

16) Information and answers to questions regarding this Adopted Rule should be directed to:

Nancy G. Easum  
Deputy General Counsel to the Secretary  
2701 S. Dirksen Parkway  
Springfield, IL 62723  
Tel: 217/782-6250

The full text of the Adopted Rule begins on the next page.

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TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE

PART 1040  
CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Traffic Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid Driver's License
1040.30	3 or More Traffic Offenses Committed Within 12 Months
1040.31	Operating a Motor Vehicle During a Period of Suspension or Revocation
1040.32	Suspension or Revocation of Licenses or Permits Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.55	Suspension or Revocation for Driver's License Classification Violations
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.100	Rescissions
1040.101	Reinstatement Fees

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-201 et seq. and 6-700 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282 effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988;

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amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7082, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 1, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 3664, effective February 27, 1990.

Section 1040.55 Suspension or Revocation for Driver's License Classification Violations

a) For purposes of this Section, the following definitions shall apply:

"Auto Emissions Suspension" - suspension for failing to have a vehicle tested in accordance with Section 13A-101 et. seq. of the Vehicle Emission Inspection Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 13A-101 et. seq.).

"Cleared Suspension or Revocation" - a suspension or revocation of driving privileges which has terminated.

"Conviction" - adjudication of guilty as defined in Section 6-100 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-100).

"Curfew Violation Suspension" - suspension when a minor operates a vehicle on a highway during the prescribed hours without an adult or as otherwise provided for in Section 2371 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, par. 2371) in accordance with Section 6-206(a)(13) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-206(a)(13)).

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Failure to Appear Suspension" - suspension for failing to pay fine or appear in court following the issuance of a traffic ticket.

"Financial Responsibility Suspension" - suspension in accordance with Section 7-304 or Section 7-305 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 7-304 or 7-305).

"License Classification" - identification on driver's license or permit indicating the type of vehicle a person is allowed to operate.

"Miscellaneous Suspension" - suspension for safety responsibility, financial responsibility, warrant parking/traffic, auto emissions, failure to appear, curfew, or unsatisfied judgment.

"Prior Suspension or Revocation" - a suspension or revocation or extension of a suspension or revocation which appears on the driving record.

"Revocation" - the termination by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the Secretary after expiration of at least one year after the date of revocation as defined in Section 1-176 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 1-176).

"Safety Responsibility Suspension" - suspension in accordance with Section 7-205 or Section 7-208 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 7-205 or 7-208).

"Suspension" - the temporary withdrawal by formal action by the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, for a period specifically designated by the Secretary as defined in Section 1-204 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 1-204).

"Unsatisfied Judgment Suspension" - suspension in accordance with Section 7-303 or 7-313 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 7-303 or 7-313).

"Warrant Parking/Traffic Suspension" - suspension for arrest warrants issued for failure to pay fines for traffic or parking violations.

b) A person who is convicted of operating a motor vehicle without the proper license classification shall have his/her driving privileges suspended or revoked by the Department. If a new upgraded license which authorizes the operation of the vehicle which was being operated at the time of the arrest is issued on or prior to the conviction date of the incoming conviction for a first offense of a license classification violation, no action shall be taken against the individual by the Department.

c) Miscellaneous suspensions shall not be considered prior suspensions for the purpose of this Section.



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d) When considering prior convictions, only convictions for operating a motor vehicle without the proper license classification within seven (7) years of the arrest date of the incoming conviction shall be considered.

e) Only those suspensions or revocations cleared within seven (7) years of the forthcoming suspensions' or revocations' effective date shall be considered as prior suspensions or revocations.

f) If a person has no prior suspension(s) or revocation(s) of any kind and a conviction for operating a motor vehicle in violation of driver's license or permit classification, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
1st conviction	2 month suspension
2nd conviction	4 month suspension
3rd conviction	6 month suspension
4th conviction	12 month suspension
5th or more convictions	Revocation

g) If a person has one (1) prior suspension or revocation and a conviction for operating a motor vehicle in violation of driver's license or permit classification, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
1st conviction	4 month suspension
2nd conviction	6 month suspension
3rd conviction	12 month suspension
4th or more convictions	Revocation

h) If a person has two (2) prior suspensions or revocations or any combination thereof and a conviction for operating a motor vehicle in violation of driver's license or permit classification, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
1st conviction	6 month suspension
2nd conviction	12 month suspension
3rd conviction	Revocation

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i) If a person has three (3) prior suspensions or revocations or any combination thereof and a conviction for operating a motor vehicle in violation of driver's license or permit classification, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
1st conviction	12 month suspension
2nd or more convictions	Revocation

j) If a person has four (4) or more prior suspensions or revocations or any combination thereof and a conviction for operating a motor vehicle in violation of driver's license or permit classification, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
1st or more convictions	Revocation

k) If a conviction for operating a motor vehicle in violation of driver's license or permit shows an arrest date during a period of revocation which is in effect, the revocation shall be extended for one (1) year from the date of the conviction or the latest projected eligibility date on record whichever is the greater period of time. If a conviction for operating a motor vehicle in violation of license or permit shows an arrest date during a period of suspension (including curfew suspensions) which is still in effect, the suspension shall be extended the same amount of time as the originally imposed suspension in accordance with Section 6-303 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, Ch. 95 1/2, par. 6-303).

l) If a person has a suspension in effect pursuant to Section 6-206(a)20 or Section 6-206(a)6 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-206(a)20 and 6-206(a)6) and receives a subsequent conviction for operating a motor vehicle in violation of driver's license or permit classification, the suspension shall be amended in accordance with the guidelines of subsections (g) through (j).

(Source Added at 14 Ill. Reg. 3664, effective February 27, 1990)

- 1) The Heading of the Part: Dealers, Wreckers, Transporters and Rebuilders
- 2) Code Citation: 92 Ill. Adm. Code 1020
- 3) Section numbers: 1020.10  
Adopted Action:  
Amendment
- 4) Statutory Authority: Implementing Chapter 5 and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 5-100 et seq. and 2-104(b))
- 5) Effective Date of Amendment: March 1, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: March 1, 1990
- 9) Notice of Proposal Published in Illinois Register:  
September 22, 1989, 13 Ill. Reg. 14818
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Differences between proposal and final version:

1. In Section 1020.10(a), line 3, changed "1-1" to "1-101."

2. In Section 1020.10(b), line 6, we deleted the title of the Act and its statutory citation that follows and replaced it with "Section 1-164 of the I.V.C.". Also did this in subsections (b)(1),(2) and (3),(c)(7) and (e) of this Section.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
1020.60	New Section	13 Ill. Reg. 5665
1020.70	New Section	13 Ill. Reg. 19241

- 15) Summary and Purpose of Rules: This rulemaking simply reduces the fee to operate in a tradeshow or exhibition from \$25.00 to \$10.00
- 16) Information and questions regarding these adopted amendments shall be directed to:  
Robert B. Powers  
Assistant Counsel to the Secretary  
298 Centennial Building  
Springfield, Illinois 62706  
217/785-3094

The full text of the Adopted Amendment begins on the next page:

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TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE

PART 1020

DEALERS, WRECKERS, TRANSPORTERS AND REBUILDERS

Section

- 1020.10 Dealers Established Place of Business
- 1020.20 Required Records For Automotive Parts Recyclers and Rebuilders, New Vehicle Dealers, Used Vehicle Dealers, Repairers and Out-of-State Salvage Vehicle Buyers
- 1020.40 Inspection of Licensees Records and Premises
- 1020.50 Consignment Sales by Dealers

AUTHORITY: Implementing Chapter 5 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 5-100 et seq. and 2-104(b)).

SOURCE: Filed March 5, 1975; amended at 2 Ill. Reg. 33, p. 144, effective August 8, 1978; amended at 5 Ill. Reg. 3835, effective March 27, 1981; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 5260, effective April 4, 1983; amended at 8 Ill. Reg. 14657, effective August 1, 1984; amended at 8 Ill. Reg. 22884, effective November 16, 1984; amended at 12 Ill. Reg. 13612, effective August 15, 1988; amended at 12 Ill. Reg. 17962, effective November 1, 1988; amended at 14 Ill. Reg. 3671, effective March 1, 1990.

Section 1020.10 Dealers Established Place of Business

- a) Each person seeking to be or already duly licensed as a new or used vehicle dealer under the Illinois Vehicle Code (I.V.C.) (Ill. Rev. Stat. 1987, ch. 95½, pars. 1-101 et seq.) shall maintain an established place of business which shall, in addition to those requirements in Section 5-100 of the I.V.C., meet the following requirements:

- 1) Have office facilities in a building for maintaining and keeping books and records as are required. The office facilities shall be permanently mounted on a fixed foundation and may not include a trailer with axle attached and still moveable. It may include, however, an office trailer or house trailer in a licensed mobile home park or dealership lot with tires removed and utilities attached.
- 2) Be properly and permanently equipped with the necessary

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office equipment and machines, and documents and papers adequate to properly conduct business as a dealer and must be within a permanent building or structure as required in subsection (a)(1) above.

- 3) Be equipped with an operating telephone for inbound and outbound calls and have the business telephone number published in the telephone directory generally available in the dealership area, and adequately equipped with operating electric lights.

- 4) Have the name of the dealership posted on the front entrance door.

- 5) Have posted on the front entrance door a sign setting forth the days and regular and reasonable hours when open for business. A dealership shall not be deemed as being open for business unless at least one employee, who is able to conduct regular business, is on the premises and available to the public and the dealership must be operated consistent with general dealer practices. The dealership must be open for business at least five (5) days out of each seven (7) days in a week, and a minimum of four (4) hours consecutive per day. However, dealers who operate their dealerships less than 12 months shall state in the license application those months in which the dealership is closed and shall not be required to maintain regular business hours during the period of closure. The months of closure shall also be posted in a prominent place for the public to see in the dealership office.

- 6) Maintain a lot, being the area not occupied by a building, which shall be surfaced with rock or better surface material, and which shall be properly illuminated, if open after sundown, so that vehicles for sale can be properly inspected by any prospective customer.

- A) The lot used for sale of vehicles shall be separate and apart from any other business. In addition, where a dealer is selling both new and used cars, the new cars shall be parked separately and apart from used cars.

- B) The above lot requirement shall not be applicable where the place of business has an indoor showroom,



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properly illuminated, for the display of vehicles held for sale.

C) The separate lot requirement specified in subsection (a)(6)(A) above shall not prohibit the operation by the dealer of other businesses on the same premises, which shall include the lot, provided that the businesses are reasonably related to the sale or operation of new or used automobiles, provided further that the sale of new or used automobiles shall constitute at least 50% of the gross revenues of the licensed holder, and the sale of automobiles shall be the primary business of the licensed dealer. No business defined as reasonably related to the sale of automobiles under this Section shall exceed 50% of the gross revenue of the business entities using the lot. Businesses reasonably related to the sale or operation of automobiles shall include only the sale of automobile parts and accessories, the sale of gasoline, diesel fuel, oil and lubricant, the sale of automobile tires, the leasing of automobiles, insuring automobiles and the financing of automobiles sold by the licensed dealers engaged in these businesses. Licensed dealers engaged in operating businesses other than those stated herein shall remove such businesses or modify them to comply with this rule within 60 days of notification by the Secretary of State, or be subject to the revocation or suspension of their dealers license.

7) Dealership in a Department Store - Where a dealer maintains a place of business within a department store, the dealership shall be separated from other operations within the department store.

8) Sign - Display a permanent sign bearing the name of the dealership which shall be properly illuminated if open after sundown and which shall be visible from the highway leading to the established place of business.

9) Display a federally required pricing document on all new motor vehicles held for sale.

10) If the premises are leased, such lease must be for at least the duration of the current licensed period.

## b) Supplemental Lots

An Illinois licensed dealer may operate as an additional place of business a permanent supplemental lot which will meet all the requirements of subsections (a)(1) through (a)(10) of this Section, except the records required to be kept shall be maintained at the principal place of business of the dealership, as defined by Section 1-164 of the Illinois Vehicle Code I.V.C. (Ill.--Rev.--Stat.--1987,--ch.--95,--par.--1-164), unless the supplemental lot is more than one mile from the main dealerships. The one mile shall be measured by the most direct road between the dealership and the supplemental lot.

1) A licensed dealer shall apply for the supplemental lot authorization when he/she files the application required by Sections 5-101 or 5-102 of the I.V.C. Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill.--Rev.--Stat.--1987,--ch.--95,--pars.--5-101-and-5-102) or he/she may file an application to add a supplemental lot during the license period.

2) The fee for a license to operate a supplemental lot is \$25 or \$12.50 as provided in Sections 5-101(b)(7) and 5-102(b)(5) of the I.V.C. Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill.--Rev.--Stat.--1987,--ch.--95,--pars.--5-101(b)(7)-and-5-102(b)(5)).

3) No vehicle sales at supplemental lots shall be allowed on Sundays except as provided for in Section 5-106 of the I.V.C. Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill.--Rev.--Stat.--1987,--ch.--95,--par.--5-106).

## c) Trade Showing or Exhibition

An Illinois licensed dealer may operate as an additional place of business an exhibition area in a trade show or exhibition, provided:

1) The licensed dealer has a currently valid new or used vehicle dealer license issued by the Secretary of State.

2) The licensed dealer has provided the Secretary of State with a copy of the written contract with the agency or person or other entity sponsoring, creating or supervising the trade

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENT(S)

show or exhibition for which application is made, or a letter from the show sponsor stating the duration of the trade show or exhibition, and an application for the trade show or exhibition supplemental license containing the name of the dealership, its license number, the location and dates of the trade shows or exhibitions, and signed by the licensed dealer.

- 3) A permit for an additional location granted for a trade show or exhibition shall in no event be valid for more than thirty (30) days from the date of the first day of the trade show or exhibition for which it is granted.
- 4) The requirements of subsections (a)(1) through (a)(7) of this Section shall not be required in granting a licensed dealer a permit for an additional place of business in a trade show or exhibition, where the requirements are inapplicable to the trade show or exhibition.
- 5) No permit granted for an additional location in a trade show or exhibition may be transferred or removed to another location.
- 6) The fee for a permit to operate in a trade show or exhibition shall be \$25.00 10.00 per permit.
- 7) Regardless of the dates of the trade show or exhibition, no vehicle sales will be allowed on Sundays except as provided for in Section 5-106 of the I.V.C. ~~Illinois-Vehicle-Title-& Registration-Law-of-the-Illinois-Vehicle-Code-(Ill-Rev-Stat-1987, ch-95, par-5-106):~~

d) Each person seeking to be or already duly licensed as a scrap processor, automotive parts recycler, rebuilder, repairer or out of state salvage buyer under the I.V.C. shall maintain an established place of business which shall meet the requirements contained in subsection (a) above, except that no lot as set forth in subsection (a)(6) above is required. However, if open after sundown, the premises shall be adequately illuminated so that prospective purchasers may inspect the items held for sale.

e) None of the requirements of this Section shall apply to the place of business of a vehicle auctioneer licensed under Chapter 5, Article VII of the I.V.C. ~~Illinois-Vehicle-Title-& Registration~~

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENT(S)

~~Law-of-the-Illinois-Vehicle-Code-(Ill-Rev-Stat-1987, ch-95, pars-5-700-et-seq):~~

(Source: Amended at 14 Ill. Reg. 3671, effective March 1, 1990)

## DEPARTMENT OF STATE POLICE MERIT BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

2) Code Citation: 80 Ill. Adm. Code 150

3) Section Numbers: Adopted Action:

150.430 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 121, par. 307.8 and 307.10

5) Effective Date of Rule(s): February 23, 1990

6) Does this Rulemaking Contain an Automatic Repeal Date? No

7) Does this rule contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: February 16, 1990

9) Notice(s) of Proposal Published in Illinois Register:

October 20, 1989, 13 Ill. Reg. 16365

10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No

11) Difference(s) between proposal and final version:

No changes were made.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? Yes

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s):

The Illinois State Police Merit Board voted to change the current practice of individual promotional certification lists to combined lists for the ranks to Lieutenant/Special Agent Lieutenant, Captain/Special Agent Captain and Major/Special Agent Major. This change was made in conjunction with the one Department concept being implemented by the Director of the Illinois State Police.

## DEPARTMENT OF STATE POLICE MERIT BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding this adopted rule shall be directed to:

Name: James E. Seiber, Executive Director

Address: 2425 Stevenson Drive, Springfield, IL 62703

Telephone: 217/786-6240

The full text of the Adopted Rule(s) begins on the next page:



DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE A: MERIT EMPLOYMENT SYSTEMS

CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150

PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

SUBPART A: DEFINITIONS

Section  
150.10 Definitions

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section  
150.210 Qualifications  
150.220 Selection Procedures  
150.230 Recertification  
150.240 Probationary Period

SUBPART C: CLASSIFICATION OF RANKS

Section  
150.310 Ranks  
150.320 Interdivisional Transfers

SUBPART D: CERTIFICATION FOR PROMOTION

Section  
150.410 Board Responsibilities  
150.420 Eligibility  
150.430 Procedures  
150.440 Promotion Probationary Period (Repealed)

SUBPART E: DISCIPLINARY ACTION

Section  
150.510 Merit Board Jurisdiction  
150.520 Discipline Afforded the Deputy Director  
150.530 Notification to Suspended Officer

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF ADOPTED AMENDMENT(S)

150.540 Petition for Review  
150.550 Form and Content of Petition for Review  
150.560 Filing Procedures  
150.565 Procedure for Processing Petition for Review  
150.570 Director's Review  
150.575 Discipline Afforded the Director  
150.580 Complaint Procedures  
150.585 Scheduling the Hearing  
150.590 Notification to Officer

SUBPART F: HEARINGS

150.610 Board Docket  
150.620 Hearing Officer  
150.630 Pre-hearing Conferences  
150.640 Motions  
150.650 Subpoenas  
150.655 Request for Witnesses or Documents  
150.660 Evidence Depositions  
150.665 Hearing Procedures  
150.670 Continuances and Extensions of Time  
150.675 Computation of Time  
150.680 Decisions of the Board  
150.685 Service and Form of Papers

Appendix A Vision Standards

Appendix B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of "AN ACT in relation to the Department of State Police" (Ill. Rev. Stat. 1987, and 1988 Supp., ch. 121, pars. 307.3 through 307.14 and 307.8, as amended by P.A. 85-1042, effective July 1, 1988.)

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency rules adopted at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency rules adopted at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendments at 4 Ill. Reg. 6, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendments at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; emergency amendments at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg.

## DEPARTMENT OF STATE POLICE MERIT BOARD

## NOTICE OF ADOPTED AMENDMENT(S)

14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990.

## SUBPART D: CERTIFICATION FOR PROMOTION

## Section 150.430 Procedures

- a) The Board will provide each officer with official notification announcing the examination and requesting a written response respecting the officer's intention to participate.
- b) Candidates for promotion must complete examinations at the time designated by the Board in the official notification. No exceptions will be allowed.
- c) Such candidates must have taken the most recent examination offered by the Board to be eligible for certification for promotion. All candidates taking the examination for each rank will be advised of their total promotional score and standing.

## d) Promotional Process Weight Factors

- 1) The total promotional score will consist of the following factors and respective weights for the ranks designated:

Factors	Sgt, Msg, SA Sgt, SA Msg	Lt, Capt, Maj, SA Lt, SA Capt, SA Maj
Written Examination	50	30
Performance Evaluation	45	35
Seniority in Rank	5	5
Assessment Center*	NA	30

\*The Assessment Center program is a process of standardized evaluation of candidate behavior(s) utilizing job related dimensions empirically derived from the occupational analysis. Candidates will be observed, recorded and evaluated on realistic and job related management simulations by trained law enforcement executives of a rank equal to or at least one level above the candidates present rank.

## DEPARTMENT OF STATE POLICE MERIT BOARD

## NOTICE OF ADOPTED AMENDMENT(S)

- 2) Each promotional score will be standardized by race/sex in accordance with Equal Employment Opportunity Commission regulations (29 CFR 1600 et seq. (July 1, 1982)) and Illinois Department of Human Rights guidelines.
- e) Candidates for the ranks of Lieutenant, Captain, Major, Special Agent Lieutenant, Special Agent Captain, and Special Agent Major whose combined written examination, performance evaluation, and seniority scores fall below the top 65% of candidates participating in each rank, are not eligible to participate in their respective Assessment Center.
- f) The Board will certify to the Director the top 65% of those Troopers, Sergeants, Special Agents and Special Agent Sergeants participating in the total promotional process. All Master Sergeants, Lieutenants, Captains, Special Agent Master Sergeants, Special Agent Lieutenants and Special Agent Captains participating in the total promotional process will be certified by the Board.
- g) There will be statewide certification lists for the ranks of Lieutenant/Special Agent Lieutenant, Captain/Special Agent Captain, and Major/Special Agent Major and Special Agent Lieutenant-Special Agent Captain and Special Agent Major. The certification lists for Sergeant and Master Sergeant will be according to Districts, and lists for Special Agent Sergeant and Special Agent Master Sergeant will be according to Areas.
- h) The top ten (10) candidates on each certification list for all ranks are equally eligible for promotion by the Director; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration. The Director may promote accordingly any one of the eligible candidates in accordance with Equal Employment Opportunity Commission regulations (29 CFR 1600 et seq. (July 1, 1982)) and Illinois Department of Human Rights guidelines.
- 1) As promotions are accepted or waived, that candidate with the next highest total promotional score on the list becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration;
- 2) Eligible candidates on the certification list may decline an offer of promotion without losing position on the certification list. In the event of declination, that candidate with the next highest total promotional score becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration;

## DEPARTMENT OF STATE POLICE MERIT BOARD

## NOTICE OF ADOPTED AMENDMENT(S)

- i) Upon written notification from the Department to the Board that a candidate on the certification list has been suspended, is on leave of absence, or has applied for disability benefits, the Board will remove the candidate's name from the certification list. The candidate's name will be restored on the list in a position in proper relation to the total promotional scores remaining when the suspension or leave of absence terminates or the disability is removed.
- j) The certification list shall remain in force until the new certification list has been established; however, in the event that a certification list becomes exhausted, the Director will file a written request with the Board asking for the certification of additional names on any one list if necessary to fill vacant positions.

(Source: Amended at 14 Ill. Reg. 3679, effective February 23, 1990)

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULE

- 1) Heading of Part: Alternate Fuel Systems for School Buses
- 2) Code Citation: 92 Ill. Adm. Code 449
- 3) Section Numbers: Adopted Action:  
     449.10 449.20 449.30 449.40 New Section  
     449.50 449.60 449.70 New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 95 1/2, par. 12-812.1
- 5) Effective date of rules: February 26, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference?  
     Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date filed in agency's principal office: February 22, 1990
- 9) Notice of proposal published in Illinois Register:  
     November 3, 1989, 13 Ill. Reg. 16944
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:

The following changes were made in agreement with JCAR and the Code Division:

In Section 449.40(c), the Department changed the Ill. Rev. Stat. citation to "par. 12-800" and deleted "12-100 et seq."

The Department added the following language to Section 449.60(e): "Installation of any commercially available piping installed to meet manufacturer's specifications is acceptable."

The Department added similar language as follows to Section 449.60(l): "Installation of any commercially available rain cap installed to meet the manufacturer's specifications is acceptable."



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULE

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes.

13) Will this rule replace an Emergency Rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules:

This Part establishes standards for the operation of school buses propelled by liquefied petroleum gases and compressed natural gas.

The Department is incorporating by reference the National Fire Protection Association's (NFPA) pamphlets regarding liquefied petroleum gases and compressed natural gas. This Part also contains specific requirements regarding container installation, carburetion equipment, pipe and hose installation and the location of identification decals. These specific requirements are unique to school buses and are not covered by the NFPA pamphlets.

16) Information and questions regarding these adopted rules shall be directed to:

Ms. Cathy Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
Commercial Vehicle Safety Section  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-3064

By Messenger: 320 West Washington  
Room 606  
Springfield, Illinois

The full text of the Adopted Rules begins on the next page:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

## TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

## PART 449

## ALTERNATE FUEL SYSTEMS FOR SCHOOL BUSES

Section	Purpose and Scope
449.10	Application
449.20	Installation, Maintenance and Operation
449.30	Container Installation
449.40	Carburetion Equipment
449.50	Pipe and Hose Installation
449.60	Identification
449.70	

AUTHORITY: Implementing and authorized by Section 12-812.1 of the Illinois Vehicle Equipment Law (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 12-812.1).

SOURCE: Adopted at 14 Ill. Reg. 3686, effective February 26, 1990.

NOTE: Bold face print denotes statutory language.

## Section 449.10 Purpose and Scope

a) This Part governs the use of liquefied petroleum gases (LPG) and compressed natural gas (CNG) as propellant fuel in school buses. The installation, maintenance and operation of such fuel systems are covered by this Part.

b) The installation of an alternate fuel system, using compressed or liquefied gases, shall not conflict with any Federal Motor Vehicle Safety Standard or any requirements of this Subchapter applicable to school buses.

## Section 449.20 Application

This Part applies to any person who operates a school bus which is equipped to use any liquefied petroleum gas or compressed natural gas as a fuel propellant.

## Section 449.30 Installation, Maintenance and Operation

a) No person may operate a school bus which is equipped to use Liquefied Petroleum Gas as a fuel propellant unless the installation, maintenance and operation is in accordance with the

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

National Fire Protection Association's (NFPA) Standard for the Storage and Handling of Liquefied Petroleum Gases, NFPA 58, February 6, 1989, not including any later editions or amendments.

- b) No person may operate a school bus which is equipped to use Compressed Natural Gas as a fuel propellant unless the installation, maintenance and operation of the fuel system is in accordance with NFPA 52, Standard for Compressed Natural Gas, (CNG) Vehicular Fuel Systems, June 8, 1988, not including any later amendments or editions.

## Section 449.40 Container Installation

In addition to the requirements established by Section 449.30, installation shall comply with the following:

- a) Compressed or liquefied gas containers shall not be mounted in the passenger or driver's compartment.
- b) Container valves, appurtenances and connections shall be mounted in an enclosed compartment.

- c) Containers shall be located at least 36 inches from the entrance door and any emergency exit. Due to the smaller size of Type II school buses, space limitations may sometimes make it impossible to locate a fuel tank further than 36 inches from an exit. **A Type II school bus has a gross vehicle weight rating of 10,000 pounds or less as defined in Section 12-800 of the Illinois Vehicle Equipment Law (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 12-800)** If the original fuel tank for a Type II bus was located within 36 inches from any exit, the alternate fuel container may be located in the same location as the original tank.

## Section 449.50 Carburetion Equipment

A fuel filter is required on alternate fuel systems.

## Section 449.60 Pipe and Hose Installation

In addition to the requirements established by Section 449.30, pipes and hoses installed on school buses for operation of an alternate fuel system shall comply with the following:

- a) No fuel supply line shall pass through the driver or passenger's compartment.

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED RULES

- b) The pressure relief device shall be fabricated so that in the event of stress, the pipe or adaptor will break away without impairing the function of the relief valve.

- c) If installed, the adaptor connecting the piping system to the pressure relief device shall neither touch nor restrict any movable part of the pressure relief valve.

- d) The relief valve discharge piping system (piping system) must not be reduced at any point from the relief valve to the point of release into the atmosphere.

- e) The piping system shall be routed to minimize sharp elbows or bends. Installation of any commercially available piping installed to meet the manufacturer's specifications is acceptable. Any fittings that restrict the flow of discharge are prohibited. From the pressure relief device adaptor to the atmosphere, the minimum inside diameter of the piping must measure at least 3/4 of an inch.

- f) The piping system shall neither block nor hamper the operation of any window or door. The piping system shall preserve widths of passageways, aisles and emergency exits.

- g) Every portion of the piping system shall be gas tight (except the outlet) and shall be able to withstand forces from the discharge when the relief valve is in full open position. If for any reason the discharge outlet becomes blocked, the piping system must be capable of holding the full system pressure.

- h) To facilitate the removal of accumulated water, a drain cock shall be installed at the lowest point of the piping system. The drain must be capable of being held open manually and close automatically to prevent expelling LPG if discharged through the relief valve. A weep hole, or other opening that may result in discharged LPG flaming beneath the bus is prohibited.

- i) The portion of the piping system that leads upward to the atmosphere shall be installed either inside the passenger compartment, on the outside of the bus, or in the body wall between the inner and outer "skins" of the bus body.

- 1) Piping on the outside of the body shall be shielded below the window line to prevent "grabbing hold" or "hitching to." However, discharge piping that is located between the windshield and the vent window at the left front corner of the body need not be shielded.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED RULES

- 2) Any portion of the piping system that is installed either inside the passenger compartment or inside the body wall shall consist of one piece originating below the bus floor and exiting outside the bus roof. Every hole where piping passes through the floor or roof shall be sealed.
- j) The piping system must terminate above the eave lines of the bus body.
- k) The outlet of the piping system shall be located at least 36 inches from the air inlet or outlet of a ventilator or similar device installed on or near the roof. A "similar device" includes the fresh air intake of a heating, ventilating or air conditioning system. It does not include a side window that opens near the roof.
- l) A rain cap is required where the piping system exits into the atmosphere to minimize water or dirt from entering into either the relief valve or its discharge piping. Installation of any commercially available rain cap installed to meet the manufacturer's specifications is acceptable. The cap shall remain in place except when the relief valve operates. The cap shall be installed to minimize the entrance of water or dirt while the vehicle is in motion.
- m) The discharge piping system on a special education school bus shall conform to all provisions of this part.

Section 449.70 Identification

The fuel identification decal as required by Section 3-6.2.10 of NFPA 58 or Section 3-10.2 of NFPA 52 shall be displayed on the rear of the school bus not more than 12 inches above the top of the rear bumper and within 39 inches of the left side. The decal shall not be placed on any black portion of the bus body.

DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

- 1) Heading of Part: Establishing and Posting Speed Limits on Streets and Highways
- 2) Code Citation: 92 Ill. Adm. Code 548
- 3) Section Numbers:
- |            |        |
|------------|--------|
| 548.10     | Repeal |
| 548.20     | Repeal |
| 548.30     | Repeal |
| 548.40     | Repeal |
| 548.50     | Repeal |
| 548.60     | Repeal |
| 548.70     | Repeal |
| 548.80     | Repeal |
| 548.90     | Repeal |
| Appendix A | Repeal |
| Exhibit A  | Repeal |
| Exhibit B  | Repeal |
| Appendix B | Repeal |
| Exhibit A  | Repeal |
| Exhibit B  | Repeal |
| Exhibit C  | Repeal |
| Exhibit D  | Repeal |
| Exhibit E  | Repeal |
| Appendix C | Repeal |
| Exhibit A  | Repeal |
| Exhibit B  | Repeal |
| Exhibit C  | Repeal |
| Exhibit D  | Repeal |
| Exhibit E  | Repeal |
| Appendix D | Repeal |
| Exhibit A  | Repeal |
| Exhibit B  | Repeal |
| Exhibit C  | Repeal |
| Exhibit D  | Repeal |
| Exhibit E  | Repeal |
| Exhibit F  | Repeal |
| Exhibit G  | Repeal |
| Exhibit H  | Repeal |
| Exhibit I  | Repeal |
| Exhibit J  | Repeal |
| Exhibit K  | Repeal |
| Exhibit L  | Repeal |
- 4) Statutory Authority: Ill. Rev. Stat. 1983, ch. 95 1/2, pars. 11-601 et seq. and ch. 127, par. 4915

5) Effective date of rules: February 22, 1990

6) Does this rulemaking contain an automatic repeal date? No

7) Does this repealer contain incorporations by reference? No



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED REPEALER

- 8) Date filed in agency's principal office: February 16, 1990
- 9) Notice of proposal published in Illinois Register:  
November 17, 1989, 13 Ill. Reg. 17731
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? No changes were necessary.
- 13) Will this rule replace an Emergency Rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rules:

The Department has undertaken a comprehensive review of its statutory authority and regulatory posture in order to pursue the revisions necessary to be more responsive to its statutory mandates. As a part of this process, existing rules will be reviewed and revoked or amended if needed to achieve the Department purpose of providing more responsive rules of greater utility. New rulemaking initiatives will also be undertaken and legislative proposals made in this regard. The Department has determined that this rule is of little utilitarian value in its present form in light of extensive statutory provisions governing Department action. Potential statutory revision is being investigated which may result in a future rulemaking. By this rulemaking, the Department repeals Part 548 in its entirety.

- 16) Information and questions regarding these adopted rules shall be directed to:

Mr. Leland H. Bates  
Traffic Policies Engineer  
Bureau of Traffic  
Department of Transportation  
2300 South Dirksen Parkway  
Springfield, Illinois 62764  
(217) 785-8534

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED REPEALER

- 1) Heading of Part: Illinois Manual on Uniform Traffic Control Devices
- 2) Code Citation: 92 Ill. Adm. Code 546
- 3) Section Numbers: Proposed Action:
- |         |         |         |         |        |
|---------|---------|---------|---------|--------|
| 546.100 | 546.200 | 546.210 | 546.300 | Repeal |
| 546.302 | 546.304 | 546.306 | 546.308 | Repeal |
| 546.309 | 546.310 | 546.312 | 546.314 | Repeal |
| 546.315 | 546.316 | 546.318 | 546.320 | Repeal |
| 546.322 | 546.324 | 546.326 | 546.328 | Repeal |
| 546.329 | 546.330 | 546.332 | 546.333 | Repeal |
| 546.334 | 546.335 | 546.336 | 546.338 | Repeal |
| 546.340 | 546.342 | 546.344 | 546.345 | Repeal |
| 546.346 | 546.348 | 546.350 | 546.352 | Repeal |
| 546.354 | 546.356 | 546.358 | 546.360 | Repeal |
| TABLE A |         |         |         | Repeal |
| TABLE B |         |         |         | Repeal |
- 4) Statutory Authority: Ill. Rev. Stat. 1985, ch. 95 1/2, par. 11-301.
- 5) Effective date of rules: February 22, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference?  
Yes. These conform to Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date filed in agency's principal office: February 16, 1990
- 9) Notice of proposal published in Illinois Register:  
November 17, 1989, 13 Ill. Reg. 17767
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements letter issued by JCAR? No changes were necessary.
- 13) Will this rule replace an Emergency Rule currently in effect? No

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED REPEALER

14) Are there any amendments pending on this Part? No

15) Summary and purpose of rules:

The Department has undertaken a comprehensive review of its statutory authority and regulatory posture in order to pursue the revisions necessary to be more responsive to its statutory mandates. As a part of this process, existing rules will be reviewed and revoked or amended if needed to achieve the Department purpose of providing more responsive rules of greater utility. New rulemaking initiatives will also be undertaken and legislative proposals made in this regard. The Department has determined that this rule is no longer required because of the adoption, pursuant to Ill.Rev.Stat. 1987, ch. 95 1/2, par. 11-301, by this Department of the 1988 edition of the publication entitled "Manual on Uniform Traffic Control Devices for Streets and Highways" published by the U.S.DOT Federal Highway Administration. By this rulemaking, the Department repeals part 546 in its entirety.

16) Information and questions regarding this adopted repealer shall be directed to:

Mr. Leland H. Bates  
Traffic Policies Engineer  
Bureau of Traffic  
Department of Transportation  
2300 South Dirksen Parkway  
Springfield, Illinois 62764  
(217) 785-8534

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

## NOTICE OF WITHDRAWAL OF PROPOSED RULES

1) Heading of the Part: Minimum Standards for Licensure, Certification, or Approval of Programs Serving Persons with Developmental Disabilities or Mental Illness

2) Code Citation: 59 Ill. Adm. Code 119

3) Section Numbers: Proposed Action:

119.100	Withdrawal
119.105	Withdrawal
119.115	Withdrawal
119.120	Withdrawal
119.125	Withdrawal
119.130	Withdrawal
119.135	Withdrawal
119.140	Withdrawal
119.200	Withdrawal
119.205	Withdrawal
119.210	Withdrawal
119.215	Withdrawal
119.220	Withdrawal
119.225	Withdrawal
119.230	Withdrawal
119.235	Withdrawal
119.300	Withdrawal
119.305	Withdrawal
119.310	Withdrawal
119.315	Withdrawal
119.320	Withdrawal
119.325	Withdrawal
119.330	Withdrawal
119.335	Withdrawal
119.340	Withdrawal
119.345	Withdrawal
119.350	Withdrawal
119.355	Withdrawal
119.360	Withdrawal
119.365	Withdrawal
119.370	Withdrawal
119.375	Withdrawal
119.380	Withdrawal
119.385	Withdrawal
119.390	Withdrawal

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

NOTICE OF WITHDRAWAL OF PROPOSED RULES

119.395	Withdrawal
119.500	Withdrawal
119.700	Withdrawal
119.705	Withdrawal
119.710	Withdrawal
119.715	Withdrawal
119.800	Withdrawal
119.900	Withdrawal
119.905	Withdrawal
119.910	Withdrawal
119.1000	Withdrawal
119.1005	Withdrawal
119.1100	Withdrawal
119.1105	Withdrawal

- 4) Date Notice of Proposed Rules Published in the Illinois Register:  
August 25, 1989, 13 Ill. Reg. 13377
- 5) Reason for the withdrawal: The Department is withdrawing this rulemaking in response to public comments and as a result of the public hearing and the passage of recent legislation.
- The Department is replacing these rules with a new proposed Part 119 (59 Ill. Adm. Code 119) which appears on page 3356 of this issue of the Illinois Register.

SECRETARY OF STATE

NOTICE OF CORRECTIONS TO ADOPTED AMENDMENTS

- 1) Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 Ill. Adm. Code 1001
- 3) Section Number: 1001.410
- 4) Illinois Register citation to the Notice of Adopted Rulemaking:  
February 16, 1990, 14 Ill. Reg. 2601
- 5) The corrections listed below have been made to the file copy of the above named rules in order to bring them into agreement with the copy of the text as published in the Illinois Register:  
In the definition of "Accredited education institution" in Section 1001.410, "al" was added to "education".  
Corrected the Source Note because 13 Ill. Reg. 15803 effective October 1, 1989, was omitted from Part 1001.



DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIESDEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

## NOTICE OF PUBLIC HEARING ON PROPOSED RULES

- 1) Heading of the Part: Minimum Standards for Certification of Developmental Training Programs
- 2) Code Citation: 59 Ill. Adm. Code 119
- 3) Register Citation to Notice of Proposed Rules: 14 Ill. Reg. 3356 ;  
March 9, 1990
- 4) Date, Time and Location of Public Hearing:

April 3, 1990

9:30 a.m.  
Capital Development Board Conference Room  
Third Floor  
William Stratton Building  
401 South Spring Street  
Springfield, Illinois 62765

## 5) Other Pertinent Information:

This hearing is being held to assist in clarifying and resolving any issues that may arise during the first notice period. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony is encouraged to provide the hearing officer with a typed copy of such testimony at the time the testimony is presented.
2. Persons presenting testimony will be limited to 20 minutes for the presentation.
3. No person will be recognized to speak for a second time until all persons wishing to testify have been done so. All testimony shall conclude at the specific times except that an individual in the midst of presenting testimony shall be allowed to complete the testimony.
4. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedure, including the order of call of witnesses, as deemed necessary.

## NOTICE OF PUBLIC HEARING ON PROPOSED RULES

5. Those persons who wish to testify should notify the following person of their intention to do so by March 20, 1990:

Karl Menninger, II  
Chief, Bureau of Rules, Policies & Regulatory Review  
Department of Mental Health and Developmental Disabilities  
400 Stratton Building  
Springfield, Illinois 62765  
217/782-0053

6. Those persons wishing to submit written comments only should send them to:

Joseph Buckles  
Rules Administrator  
Department of Mental Health and Developmental Disabilities  
400 Stratton Building  
Springfield, Illinois 62765  
217/785-3313

## OFFICE OF THE COMMISSIONER OF SAVINGS AND LOAN ASSOCIATIONS

## NOTICE OF PUBLIC INFORMATION

SUMMARY OF ORDER OF EMERGENCY SUSPENSION OF THE LICENSE TO ACT AS A RESIDENTIAL MORTGAGE LICENSEE OF PREFERRED FINANCIAL SERVICES, INC., CAROL STONE, PRESIDENT

Pursuant to Section 4-5(2)(g) of the "Residential Mortgage License Act of 1987" (Ill.Rev.Stat.1987, ch. 17, par. 2324-5(2)(g) and effective January 12, 1990, the Commissioner of Savings and Loan Associations issued an Order of Emergency Suspension of the License of Preferred Financial Services, Inc., Carol Stone, President, to Act As A Residential Mortgage Licensee pursuant to the Illinois Residential Mortgage License Act. id at 2824-5(2)(b). The Order of Emergency Suspension is effective for thirty (30) days, pending investigation. Hearing on the matter is set for February 1, 1990 at 1:30 p.m. at the Office of the Commissioner of Savings and Loan Associations, 205 West Randolph Street, Suite 1900, Chicago, Illinois 60606. Telephone (312) 793-1450.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Administrative Rules during the period of February 20, 1990, through February 23, 1990, and have been scheduled for review by the Committee at its April 3, 1990 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its April meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
4/6/90	Illinois Commerce Commission, Standard Filing Requirements for Electric, Gas, Telephone, Water and Sewer Utilities in Filing for an Increase in Rates (G.O. 210) (83 Ill. Adm. Code 285)	4/21/89 13 Ill. Reg. 5229	April 3, 1990
4/6/90	Department of Insurance, Construction and Filing of Life Insurance and Annuity Forms (50 Ill. Adm. Code 1405)	11/17/89 13 Ill. Reg. 17604	April 3, 1990
4/9/90	Illinois Student Assistance Commission, Correctional Officer's Survivor Grant Program (23 Ill. Adm. Code 2731)	11/27/89 13 Ill. Reg. 18204	April 3, 1990
4/9/90	Illinois Student Assistance Commission, General Provisions (23 Ill. Adm. Code 2700)	11/27/89 13 Ill. Reg. 18207	April 3, 1990
4/9/90	Illinois Student Assistance Commission, Guaranteed Loan Programs (23 Ill. Adm. Code 2720) 18222	11/27/89 13 Ill. Reg. 18222	April 3, 1990
4/9/90	Illinois Student Assistance Commission, Illinois National Guard/Naval Militia Grant (23 Ill. Adm. Code 2730)	11/27/89 13 Ill. Reg. 18236	April 3, 1990
4/9/90	Illinois Student Assistance Commission, Illinois Veteran Grant Program (23 Ill. Adm. Code 2733)	11/27/89 13 Ill. Reg. 18239	April 3, 1990

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED  
(page 2)

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>Scheduled for Consideration by JC&amp;R</u>
4/9/90	Illinois Student Assistance Commission, Merit Recognition Scholarship (MRS) Program (23 Ill. Adm. Code 2761)	11/27/89 13 Ill. Reg. 18245	April 3, 1990
4/9/90	Illinois Student Assistance Commission, Monetary Award Program (MAP) (23 Ill. Adm. Code 2735)	11/27/89 13 Ill. Reg. 18251	April 3, 1990
4/9/90	Illinois Student Assistance Commission, Policemen/Firemen Dependent's Grant Program (23 Ill. Adm. Code 2732)	11/27/89 13 Ill. Reg. 18257	April 3, 1990
4/9/90	Illinois Student Assistance Commission, State Scholar Program (23 Ill. Adm. Code 2760)	11/27/89 13 Ill. Reg. 18260	April 3, 1990
4/9/90	Pollution Control Board, Regulatory and Other Non- adjudicative Hearings and Pro- ceedings; Repeal of (35 Ill. Adm. Code 102)	9/22/89 13 Ill. Reg. 14727	April 3, 1990
4/9/90	Pollution Control Board, Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102)	9/22/89 13 Ill. Reg. 14696	April 3, 1990
4/9/90	Pollution Control Board, Hearings Pursuant to Specific Rules (35 Ill. Adm. Code 106)	9/22/89 13 Ill. Reg. 14634	April 3, 1990
4/9/90	Department of Public Aid, Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)	1/5/90 14 Ill. Reg. 163	April 3, 1990
4/9/90	Department of Conservation, Falconry and the Captive Pro- pagation of Raptors (17 Ill. Adm. Code 1590)	11/13/89 13 Ill. Reg. 17174	April 3, 1990

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED  
(page 3)

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>Scheduled for Consideration by JC&amp;R</u>
4/9/90	State Board of Education, Evaluation of Certified School District Employees in Contractual Continued Services (23 Ill. Adm. Code 50)	12/8/89 13 Ill. Reg. 18979	April 3, 1990
4/9/90	State Board of Education, Truants' Alternative and Optional Education Programs (23 Ill. Adm. Code 205)	12/8/89 13 Ill. Reg. 18991	April 3, 1990
4/9/90	Office of the State Fire Marshal, Storage, Trans- portation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill. Adm. Code 170)	1/5/90 14 Ill. Reg. 63	April 3, 1990



PROCLAMATION

90-58

ADVANCED LEARNING INSTITUTE DAY

Whereas, the Advanced Learning Institute was commissioned to provide an environment for learning, self-fulfillment, and professional responsibility, with a concern for high standards in all fields of education; and

Whereas, the Advanced Learning Institute is an educational institution dedicated to the highest level of teaching and training. It has an international staff of dedicated, respected instructors who possess the ability to communicate well; and

Whereas, the Advanced Learning Institute is committed to its goal of improving our world one person at a time, with the express purpose of helping individuals achieve their life goals by broadening their horizons and lengthening their strides; Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim February 26, 1990, as ADVANCED LEARNING INSTITUTE DAY in Illinois in honor of the institute's superior goals and commitment to education.

Issued by the Governor February 20, 1990.

Filed with the Secretary of State February 26, 1990.

90-59

AMERICAN DIABETES ASSOCIATION'S 50TH ANNIVERSARY

Whereas, diabetes is a disease that affects 575,000 people in Illinois alone, and its seriousness is often underestimated; and Whereas, the long-term effects of diabetes can seriously damage the heart, blood vessels, kidneys, eyes, and nerves; and Whereas, the American Diabetes Association was founded as a small, professional society in 1940, a time when almost nothing was known about the disease; and

Whereas, in the 50 years since it was founded, the American Diabetes Association has become an internationally recognized, full-service, not-for-profit organization that has greatly contributed to increasing public awareness of the advances made and the efforts still needed in battling this disease; and Whereas, the association's reach extends worldwide to more than 70 countries, and its downstate and northern Illinois chapters serve our state through the dedicated commitment of volunteers;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim 1990 as the AMERICAN DIABETES ASSOCIATION'S 50TH ANNIVERSARY and commend the association's continued fight against the disease.

Issued by the Governor February 20, 1990.

Filed with the Secretary of State February 26, 1990.

90-60

COMMUNITY ASSOCIATIONS DAY

Whereas, Community Association Institute (CAI) is a national, non-profit membership organization for those interested in community associations; and

Whereas, since its establishment in 1973, CAI has been serving the needs of the community association field; and

Whereas, CAI is dedicated to excellence in every facet of community associations. It is the only organization serving the unique needs of those involved in common-interest communities and serves as the only source of vital training and certification programs in its field; and

Whereas, CAI is committed to representing and involving all groups that are associated with community associations, including public officials, builders and developers, attorneys, accountants, insurance agents, property managers, and the homeowners themselves;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim February 24, 1990, as COMMUNITY ASSOCIATIONS DAY in Illinois in recognition of the contributions of this viable organization.

Issued by the Governor February 20, 1990.

Filed with the Secretary of State February 26, 1990.

90-61

ESTONIAN DAY

Whereas, Estonia is a Baltic country that has been occupied by Russia since 1940; and

Whereas, before this occupation, it had a long and proud tradition of democratic government and equality before the law; and

Whereas, basic human freedoms such as visiting family, owning land, and speaking without fear are now denied to those living in what was Estonia; and

Whereas, those of Estonian heritage are exemplary American citizens who still preserve their traditions, take pride in their history of freedom, believe in human rights, and seek self-determination for their homeland; and

Whereas, Chicago, Illinois, enjoys one of the largest communities of Estonians in the world today; Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim February 24, 1990, as ESTONIAN DAY in Illinois in recognition of the 72nd anniversary of Estonian Independence Day.

Issued by the Governor February 20, 1990.

Filed with the Secretary of State February 26, 1990.

## ILLINOIS REGISTER

90-62

## JAKE TURANO DAY

Whereas, after more than 34 years of service with Chicago Title Insurance Company, Guerino J. "Jake" Turano is retiring from the position of vice president and legislative counsel; and Whereas, Jake Turano has made great contributions to the real estate industry in Illinois through his involvement in the legislative process, as well as in sharing his wealth of knowledge; and

Whereas, he is a leading expert on real estate tax matters and has been involved in the creation of much of the real estate law that was enacted in Illinois; and

Whereas, he has served on advisory boards and committees for both the Illinois and Chicago Bar Associations, the Illinois and American Land Title Association, the Illinois Mortgage Bankers Association, the Taxpayers Federation of Illinois, the Civic Federation, and many other organizations;

Whereas, in honor of Jake Turano, a retirement celebration will be held at the State of Illinois Center on February 21, 1990;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim February 21, 1990, as JAKE TURANO DAY in Illinois, in recognition of his contributions to the real estate and title insurance industry and with best wishes upon his retirement.

Issued by the Governor February 20, 1990.

Filed with the Secretary of State February 26, 1990.

90-63

## LOVE AND HELP CHILDREN MONTH

Whereas, today's children will create tomorrow's civilization; and

Whereas, the route to happiness includes loving and helping children from babyhood to the brink of adult life; and

Whereas, in the State of Illinois, many agencies, organizations, and individuals, including representatives of the Concerned Businessman's Association of America, are working to help children survive well in today's world;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim February 1990 as LOVE AND HELP CHILDREN MONTH in Illinois.

Issued by the Governor February 20, 1990.

Filed with the Secretary of State February 26, 1990.

90-64

## POTATO LOVERS MONTH

Whereas, the potato is a valuable source of nutrition for the

## ILLINOIS REGISTER

3708  
90

American consumer; and

Whereas, many consumers use potatoes to prepare nutritious, economical meals; and

Whereas, the potato is one of America's favorite vegetables; Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim February 1990 as POTATO LOVERS MONTH in Illinois.

Issued by the Governor February 20, 1990.

Filed with the Secretary of State February 26, 1990.

90-65

## CONGRATULATES ROBERT F. HYLAND

Whereas, Robert F. Hyland is senior vice president of CBS Radio and general manager of KMOX and KLOU-FM stations in St. Louis; and

Whereas, during his tenure, KMOX has earned many national awards, including four Golden Bell Awards, four Gabriel Awards, three George Foster Peabody Awards, the Associated Press National Broadcasters Award, the National Radio and Television News Directors Association Edward R. Murrow Award, and the National Association of Broadcasters Crystal Award; and

Whereas, Robert F. Hyland has made numerous contributions to the St. Louis community through his involvement in professional, civic, cultural, educational and social activities; and

Whereas, he was named "St. Louis Man of the Year" in 1988 and received the Magistral Knight of the Sovereign Military Order of Malta by Pope Paul VI; and

Whereas, Robert F. Hyland has been chosen as the 1990 "Media Person of the Year" by the Press Club of Metropolitan St. Louis; Therefore, I, James R. Thompson, Governor of the State of Illinois, congratulate ROBERT F. HYLAND on his many accomplishments and on being honored as "Media Person of the Year" for 1990.

Issued by the Governor February 21, 1990.

Filed with the Secretary of State February 26, 1990.

90-66

## NURSING HOME WEEK

Whereas, the long-term care facilities in Illinois are dedicated to providing the very finest in health care for our convalescent, aged, and chronically ill citizens; and

Whereas, this dedication has been forcefully demonstrated through continual striving to upgrade standards of care and improve service; and

Whereas, long-term care facilities are a vital segment of the total health care delivery system in our state; and

Whereas, member facilities of the Illinois Health Care Association and the Association itself are sponsoring many



Filed with the Secretary of State February 26, 1990.

activities in observance of National Nursing Home Week beginning May 13th;  
Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim May 13-19, 1990, as NURSING HOME WEEK in Illinois, and I express the appreciation of all our citizens for the high standard of care that long-term facilities are providing in Illinois.

Issued by the Governor February 21, 1990.  
Filed with the Secretary of State February 26, 1990.

90-67  
NUTRITION MONTH

Whereas, the Illinois Department of Public Health, along with nutrition professionals throughout Illinois and the United States, is promoting good nutrition; and

Whereas, there is a need to encourage our citizens to practice sound eating habits throughout the year in order to achieve optimum health; and

Whereas, in keeping with the theme of the national observance--"Enjoy the Taste of Eating Right"--all Illinoisans should become aware that proper nutrition is vital at all stages of life;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim March 1990 as NUTRITION MONTH in Illinois and urge our citizens to become concerned about nutrition, not only during the month of March, but throughout their lives.

Issued by the Governor February 21, 1990.  
Filed with the Secretary of State February 26, 1990.

90-68  
TORNADO PREPAREDNESS WEEK

Whereas, the tornado season, which every year destroys human lives and private property, is imminent; and

Whereas, Illinois, at the northeast edge of the most tornado-prone region of the world, is especially vulnerable; and  
Whereas, an average of 25 tornadoes have swept through Illinois each year since 1950, with 14 in 1989 and as many as 107 in 1974; and

Whereas, the Illinois Emergency Services and Disaster Agency and the National Weather Service have worked together to combat the deadly effects of tornadoes through emergency planning;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim March 4-10, 1990, as TORNADO PREPAREDNESS WEEK in Illinois. I strongly urge all Illinois residents to become familiar with the hazards of tornadoes and to formulate or refine tornado preparedness plans so that deaths and injuries from the devastating effects of tornadoes can be minimized.

Issued by the Governor February 21, 1990.